



## **Town of Arlington Board of Selectmen**

### **Meeting Agenda**

March 23, 2015

7:15 PM

Selectmen's Chambers, 2nd Floor, Town Hall

1. Discussion: Cable Advisory Committee Status Report  
John Maher, Chair, Cable Advisory Committee

#### **CONSENT AGENDA**

2. Minutes of Meeting: March 9, 2015
3. Appointments of New Election Workers: (1) Aroxy Mesropian, 462 Appleton Street, U, Pct. 3;  
2) Evelyn Lewis, 4 Winslow Street, U, Pct. 11 ; 3) Carol Philips, 74 Mary Street, D, Pct. 6

#### **LICENSES & PERMITS**

4. Request: Common Victualler  
Maria's Pizzeria, 86 Massachusetts Avenue, Ruzanna Zakaryan
5. Discussion and Adopt: Hackney Policy Insurance Requirements  
Steven M. Byrne, Chair

#### **TRAFFIC RULES & ORDERS / OTHER BUSINESS**

6. Approval: Memorial for Robert (Bobby Mac) MacMuarry  
Alexander J. Salipante, Chairman, Public Memorial Committee
7. Presentation: Arlington Commission on Arts and Culture Annual Report  
Stephanie Marlin-Curiel and Barbara Costa, Co-Chairs
8. Approval: FAA Noise Issues Letter  
Steven M. Byrne, Chair
9. Endorsement of Letter to Delegation RE: MBTA Assessments  
Adam W. Chapdelaine, Town Manager
10. Designation Special Municipal Counsel, Attorney Kevin Batt, as Special Municipal Employee  
Adam W. Chapdelaine, Town Manager
11. Vote: Reinstatement of Metering in Municipal Lots  
Adam W. Chapdelaine, Town Manager
12. Rehearing: Warrant Article 11: Bylaw Amendment/Establishment of a Community Preservation Committee  
Kevin F. Greeley, Selectman

## **WARRANT ARTICLE HEARINGS**

Articles for Review

Article 12      Revision of Town Committee/Vision 2020 Standing Committee  
Article 19      Revolving Funds

## **FINAL VOTES & COMMENTS**

Articles for Review

Article #7   Zoning Bylaw Amendment and Bylaw Amendment/Regulation of Posted Event Notices  
Article #13   Disposition of Real Estate/1207 Massachusetts Avenue  
Article #16   Acceptance of Legislation/Complete Streets Program (REVISED COMMENTS)  
Article #46   Resolution/Master Plan Endorsement

## **NEW BUSINESS**

## **EXECUTIVE SESSION**

Next Meeting of BoS March 30, 2015



## **Town of Arlington, Massachusetts**

---

### **Discussion: Cable Advisory Committee Status Report**

#### **Summary:**

John Maher, Chair, Cable Advisory Committee



## **Town of Arlington, Massachusetts**

---

**Minutes of Meeting: March 9, 2015**

**ATTACHMENTS:**

Type	Description
 Backup Material	3.9.15 draft minutes



OFFICE OF THE BOARD OF SELECTMEN

STEVEN M. BYRNE, CHAIR  
JOSEPH A. CURRO, VICE CHAIR  
KEVIN F. GREELEY  
DIANE M. MAHON  
DANIEL J. DUNN



730 MASSACHUSETTS AVENUE  
TELEPHONE  
781-316-3020  
781-316-3029 FAX

TOWN OF ARLINGTON  
MASSACHUSETTS 02476-4908

Meeting Minutes  
Thursday, March 9, 2015  
7:15 p.m.

Present: Mr. Byrne, Chair, Mr. Curro, Vice Chair, Mr. Greeley and Mr. Dunn.  
Also Present: Mr. Chapdelaine, Mr. Heim and Mrs. Sullivan.  
Absent: Mrs. Mahon

**CONSENT AGENDA**

1. Minutes of Meetings: February 23, 2015  
Mr. Curro moved approval subject to conditions set forth. SO VOTED (4-0)
2. Appointments of New Election Workers: (1) Gwendolyn Phelps, 77 Oakland Avenue, U, Pct. 16; (2) Marie Buckley, 112 Newland Avenue, U, Pct. 19  
The above new appointments will work at the Town Election.  
Mr. Curro moved approval subject to conditions set forth. SO VOTED (4-0)
3. Reappointments: Public Memorial Committee  
Alexander Salipante (term to expire 6/2017)  
Eugene O'Neil (term to expire 3/2018)  
Wilfred Saint Martin (term to expire 3/2018)  
Dennis Corbett (term to expire 4/2016)  
Mr. Salipante noted in his memo that one additional member needs to be appointed.  
Mr. Curro requested the Selectmen's Office to advertise for the vacant member position.  
Mr. Curro moved approval subject to conditions set forth. SO VOTED (4-0)
4. Request: One Day All Alcohol License, 3/21/15 @ Dearborn Academy for the Lesley Ellis School Annual Event to Support Financial Assistance  
Lynne Jacoby. Lesley Ellis School

The event is a parent and staff only event for the school community offering wine, beer and a specialty drink.

Mr. Curro moved approval subject to conditions set forth. SO VOTED (4-0)

### **APPOINTMENTS**

5. Council on Aging

Majorie Vanderhill (term to expire 1/31/2018)

Ms. Vanderhill expressed her enthusiasm for becoming involved in the Council on Aging and to see what programs are offered.

Mr. Dunn moved approval. SO VOTED (4-0)

6. Appointment: Parking Implement/Governance Committee (PIGC)

Michael Gordon

Mr. Gordon expressed interest in Arlington transportation issues and is currently in a Master's Program in Transportation at MIT. Mr. Curro asked Mr. Gordon to be aware of the concerns of the center merchants and their importance in the Town's economic development.

Mr. Dunn moved approval. SO VOTED (4-0)

### **LICENSES & PERMITS**

7. Request: Common Victualler and Wine & Malt Licenses

Zhu's Garden, 166 Massachusetts Avenue, Bowei Zhu

Ms. Zhu, the manager, explained the restaurant will serve healthy vegan food.

Mr. Dunn advised her to maintain a continuous training program for beer & wine serving - specifically in not serving underage patrons.

Mr. Greeley moved approval subject to conditions set forth. SO VOTED (4-0)

### **TRAFFIC RULES & ORDERS / OTHER BUISNESS**

8. Discussion: Future BoS Meetings

The following future meeting dates were chosen by the Selectmen:

April: 13<sup>th</sup> and 27<sup>th</sup> (7:00 PM)

May: 4<sup>th</sup> (7:00 PM) and 18<sup>th</sup> (7:00 PM)

June: 8<sup>th</sup> and 22<sup>nd</sup>

Mr. Dunn moved approval. SO VOTED (4-0)

9. Town Manager's Evaluation

Steven M. Byrne, Chair

The Selectmen thanked Ms. Malloy for her great work consolidating individual evaluations into a performance review consensus document. The Selectmen agreed that Mr. Chapdelaine does remarkable work and they are very pleased with him.

Mr. Dunn moved to adopt. SO VOTED (4-0)

10. Discussion and Adopt: Draft Selectmen's Handbook, Parking Policies and Regulations

Kevin F. Greeley, Selectman

The Selectmen made several changes to the handbook section. The process of the handbook was discussed listing the below steps:

- Have 1 summary page with more in-depth policy and regulation in a manual at the end
- Approve (with changes if applicable) each handbook section
- Approval of the whole handbook when it's complete
- Make available on-line for residents, new selectmen and new office staff.

Mr. Greeley moved approval with corrections.

SO VOTED (4-0)

### **WARRANT ARTICLE HEARINGS**

Article 7

Zoning Bylaw Amendment and Bylaw

Amendment/ Regulation of Posted Event Notices

Mr. Klein, resident and Town Meeting Member Pct. 10, explained he had spent time researching bylaws for a way to change them to allow groups and residents to display notices of events and other communications. Mr. Klein stated that the warrant article is to provide the Board with a clear, consistent authority and process for the posting of certain types of signage, specifically "notices" of non-profit and public events, and limited personal advertisements of yard sales or lost pets. The ARB suggests the following amendments on Article #7 to the Selectmen for their vote on the Town Bylaws: reduce the amount of time a Notice could be posted in advance from fourteen days to seven days and reduce the maximum size of the Notice to six square feet.

Mr. Vogel and Mr. Chaput requested larger/10 foot square signs and notices posted around Town be allowed for advertising by The Friends of Robbins Farm Park along with allowing 14 days of posting. After much discussion regarding the size of signs, where the signs could be placed and enforcement of the proposed article, the Selectmen agreed to approach comments in the same way as last year's street performer's article comments in the Selectmen Report.

Mr. Curro moved to proceed with favorable action on this warrant article but Town Counsel will segregate the vote and prepare a draft regulation that will be added as an appendix in the Selectmen's Report similar to last year's Street Performers warrant article report.

SO VOTED (4-0)

Article 13

Disposition of Real Estate / 1207 Massachusetts Avenue

Mr. Heim reported that after gathering and deliberating significant input from Town departments, committees, and residents it was determined that sale of the property for private use or development presents the most prudent course of action. The procedure includes Town Meeting authorization, RFP process, 30B appraisal and solicitation of bids and State law requirement that proceeds go into the general fund and be used for capital purposes. Mr. Dunn and Mr. Greeley requested that town counsel include hearing and voting information in the Selectmen Report comments.

Mr. Curro moved favorable action.

SO VOTED (4-0)

Article 46 Resolution/ Master Plan Endorsement

Mr. Heim reported that this article seeks a resolution to place the Master Plan before Town Meeting for its seal of approval, which while not required, would be of obvious value. The Master Plan's purpose is to guide Arlington's policy on future land use and physical development for the next 10 to 20 years. The Committee co-chairs Carol Svenson and Charlie Kalauskas thanked the eleven (11) members on the Master Plan Advisory Committee for their work. Mr. Fitzsimmons, an ARB member, stated that they want Town Meeting to endorse the resolution but not every detail in the plan. He described it as a living document with future articles being submitted over the next few years to Town Meeting.

Mr. Curro moved favorable action.

SO VOTED (4-0)

### **FINAL VOTES & COMMENTS**

Article 8 Bylaw Amendment/Living Speaking Time for Announcements and Reports

#### **ARTICLE 8 BYLAW AMENDMENT/ LIMITING SPEAKING TIME FOR ANNOUNCEMENTS AND REPORTS**

**VOTED:** That Title I, Article 1, Section 7(C) ("Regulation of Speakers") of the Town Bylaws is hereby amended to read as follows:

*No person shall speak, or otherwise hold the floor, on any actionable subject for more than seven minutes, unless, prior to beginning his or her presentation, the person requests of the Town Meeting a specific extension of time, and the request is granted by a majority vote of the Town Meeting members present and voting. An actionable subject is any matter which will result in or is closely related to a vote before Town Meeting to make a substantive decision, including but not limited to, election and appointment of officers, amendments to bylaws, acceptance of legislation, appropriations, resolutions, and endorsements. A non-actionable subject includes, but is not limited to, Announcements, Commemorations, non-relevant remarks, and Reports of Committees, but excludes the State of the Town Address.*

*No person shall speak, or otherwise hold the floor, for the first time on any non-actionable subject for more than four minutes, unless, prior to beginning his or her presentation, the person requests of the Town Meeting a specific extension of time, and the request is granted by a majority vote of the Town Meeting members present and voting. Nothing set forth in this bylaw shall be construed to limit the discretion of the Town Moderator with respect to non-actionable subject matters.*

*No person shall speak, or otherwise hold the floor, for a second time on any subject for more than five minutes.*

*No person shall speak, or otherwise hold the floor, more than twice on any subject except to correct an error, without first obtaining permission of the meeting by*

*obtaining a majority vote of the Town Meeting Members present and voting. After obtaining said permission, the person shall not speak, or otherwise hold the floor, for more than five minutes.* (5-0)

**COMMENT:** The Board of Selectmen agrees with the proponent of this Article that efficient use of Town Meeting time merits further regulation of speakers who are not addressing items which require action of the Town's legislative body. In recent years, so much time has been devoted to announcements and presentations that the discussion and action on substantive warrant articles has not commenced until well after 9:00 p.m. on several nights. Hence, while the Selectmen recognize that Town Meeting is a valuable, sometimes necessary forum for commemorations, receiving reports from committees, and other non-actionable business of import, oral remarks on such items should be limited wherever possible and refer members to more detailed written materials.

The Board of Selectmen respect the Town Moderator's jurisdiction and discretion in limiting speakers, as well as the result of his poll at the 2014 Town Meeting (which found overwhelming support for limiting announcements and reports to four minutes), and note that the Moderator retains the ability to further restrict non-germane commentary. However, the recommend amendment above would set the same speaking limits for all non-actionable announcements and reports, save the State of the Town Address, which is a single, scheduled speaker charged with a specified duty at Town Meeting.

The Selectmen unanimously agreed that the words "for the first time" in paragraph 2, the 1<sup>st</sup> line in the **VOTED** section.

Mr. Dunn moved approval.

SO VOTED (4-0)

Mr. Dunn requested that Town Counsel highlight or note the changes in the Selectmen Report comments.

Article 9 Bylaw Amendment/Human Rights Commission

#### **ARTICLE 9 BYLAW AMENDMENT/HUMAN RIGHTS COMMISSION**

**VOTED: That no action be taken under Article 9.** (5-0)

**COMMENT:** This article proposes to amend the Arlington Human Rights Commission ("AHRC") bylaw with respect to human rights complaints against Town departments and agencies, but does not specify what such amendment(s) would entail. At hearing on this article the Board could not better discern sufficient details and accordingly, cannot recommend favorable action. Additionally, the Board noted that the AHRC is an effective body that has garnered consistent cooperation of Town departments and agencies, including the School Department, in addressing complaints and issues within its purview using the tools available under the present bylaw. AHRC corroborated this view at hearing.

Mr. Greeley moved approval.

SO VOTED (4-0)

Article 10 Bylaw Amendment/Description of the Mount Gilboa/Crescent Hill District

#### **ARTICLE 10 BYLAW AMENDMENT/DESCRIPTION OF THE MOUNT GILBOA/CRESCENT HILL DISTRICT**

**VOTED:** That the following section of Title VII, Article 2, Section 5 (Description of the Mount Gilboa/Crescent Hill Historic District) of the Town Bylaws is hereby amended to strike the addresses “209 Lowell Street” and “105 Westminster Avenue” and replace them with the words “207 Lowell Street” and “106 Westminster Avenue” respectively, so as to have the relevant section read as follows:

*...the property numbered 207 Lowell Street, thence turning and going northeasterly along said lot line and the rear lot lines of the properties numbered 7, 11, and 15 West Court Terrace a distance for 219.79 feet, thence continuing northeasterly along the southeasterly lot line of the property number 106 Westminster Avenue a distance of 10.0 feet to a point, thence turning and going northwesterly...* (5-0)

**COMMENT:** This article presents a straightforward administrative correction to an error in the present Historic Districts bylaw revealed by recent mapping review conducted by the Town’s Historic District Commission. As such, the Board recommends Town Meeting adopt the proposed changes.

Mr. Greeley moved approval.

SO VOTED (4-0)

Article 11 Bylaw Amendment/Establishment of a Community Preservation Committee

#### **ARTICLE 11**

#### **BYLAW AMENDMENT/ESTABLISHMENT OF A COMMUNITY PRESERVATION COMMITTEE**

**VOTED:** That Title II of the Town Bylaws (“Committees and Commissions”) be and hereby is amended by inserting a new article to provide for the creation of an Arlington Community Preservation Committee as follows:

#### *Article 12: Community Preservation Committee*

##### *Section 1. Establishment and Membership*

- a. There is hereby established a Community Preservation Committee consisting of at total of nine (9) members pursuant to G.L. c. 44B § 5. The membership shall be composed of one member of the Conservation Commission as designated by such Commission, one member of the Historical Commission as designated by such Commission, one member of the Arlington Redevelopment Board (which serves as the Town’s Planning Board) as designated by such Board, one member of the Park and Recreation Commission as designated by such Commission, one member of the Arlington Housing Authority as designated by such authority, and four (4) at-large members appointed by the Town Manager subject to approval by the Board of Selectmen.*

- b. At-large members shall be appointed to the following initial terms: One (1) for a one-year term, two (2) for two-year terms, and one (1) for a three-year term. All subsequent terms shall be for three years. All other members shall serve a term determined by their designating bodies not to exceed three years. All members, at-large and otherwise, are eligible for reappointment. Should any appointing or designating authority fail to appoint a successor to a CPC member whose term is expiring, such member may continue to serve until the relevant authority names a successor.*
- c. A vacancy of the Committee shall be filled by the relevant appointing or designating authority.*

## ***Section 2. Duties and Responsibilities***

*The Community Preservation Committee shall have all the duties and powers as set forth in G.L. c. 44 §5, including, but not limited to the following:*

- a. The Community Preservation Committee shall study the needs, possibilities and resources of the Town regarding community preservation. The Committee shall consult with existing municipal boards, including the Board of Selectmen, Conservation Commission, the Historical Commission, the Redevelopment Board, the Park and Recreation Commission, the Council on Aging, the Housing Authority, the Finance Committee, and the Capital Planning Committee. As part of its study, the Committee shall hold one or more public informational hearings on the needs, possibilities, and resources of the Town regarding community preservation possibilities and resources, notice of which shall be posted publicly and published for each of two weeks preceding the hearing in a newspaper of general circulation in the Town.*
- b. The Community Preservation Committee shall make recommendations to the Town Meeting for the acquisition, creation, and preservation of open space; for the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use; for the acquisition, creation, preservation, and support of community housing; and for rehabilitation or restoration of such open space and community housing that is acquired or created with CPA funds. With respect to community housing, the Committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites. Recommendations to Town Meeting shall include their anticipated costs.*
- c. The Community Preservation Committee may include in its recommendation to the Town Meeting a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation but for which sufficient revenues are not then available in the Community Preservation Fund*

*to accomplish that specific purpose, or to set aside for later spending funds for general purposes that are consistent with community preservation.*

- d. Prior to making its final recommendations to Town Meeting for approval, the Committee shall present draft recommendations to the Board of Selectmen, the Finance Committee, and the Capital Planning Committee for comment. Further a designated member of the Board of Selectmen, Finance Committee, and Capital Planning Committee shall be permitted, but not required, to serve as a liaison to the Committee.*

### ***Section 3. Administration and Operation***

- a. The Community Preservation Committee shall not meet or conduct business without the presence of a quorum. A majority of the members of the Community Preservation Committee shall constitute a quorum.*
- b. The Community Preservation Committee shall approve its actions by majority vote of the quorum.*
- c. Each fiscal year, the Committee shall recommend to Town Meeting an operational and administrative budget. The timing of such budget recommendation shall be coordinated with the Town Manager's annual operating budget submission to the Board of Selectmen.*

### ***Section 4. Amendments***

*The Community Preservation Committee shall, from time to time, review the administration of this by-law, making recommendations, as needed, for changes in the by-law and in administrative practice to improve its operations.*

### ***Section 5. Construction and Severability***

*At all times this by-law shall be interpreted in a manner consistent with G.L. c. 44B, the Community Preservation Act. Should any section, paragraph or part of this chapter be for any reason declared invalid or unconstitutional by any court of last resort, every other section, paragraph, or part shall continue in full force and effect.*

### ***Section 6. Effective Date***

*Following Town Meeting approval of this by-law, this Title shall take effect immediately upon the approval by the Attorney General of the Commonwealth. Each appointing authority shall have thirty (30) calendar days after approval by the Attorney General to make their initial appointments. Should any appointing authority fail to make their appointment within that allotted time, the Town Manager shall make the appointment from the membership of such appointing authority.*

**(5-0)**



**COMMENT:** Following 2014 Town Meetings’ adoption of G.L. c. 44B §§3-7 (the Community Preservation Act or “CPA”), the Town must adopt a bylaw to establish a Community Preservation Committee (“CPC”) in order to spend CPA monies on appropriate projects. Once established a CPC is first charged with assessing Arlington’s community preservation needs, including consulting with various Town boards, committees, and commissions, and then must recommend specific, CPA-eligible projects for funding to Town Meeting for appropriation each year.

By law, a CPC must consist of at least five (5), but no more than nine (9) members as follows, with five seats reserved Arlington’s equivalents to a Conservation Commission, Planning Board, Historical Commission, Housing Authority, and Board of Park Commissioners. Up to four additional members may be appointed or elected by various processes and entities.

Hence, following comparative analysis of other municipalities’ CPCs and discussions with stakeholders and experts, the Board of Selectmen strongly recommends the adoption of a nine-member CPC, with at-large members appointed by the Town Manager subject to the approval of the Selectmen. While other models, including those which would invest authority directly within the Board to choose “at-large” appointments were considered, the majority of the Board believes the foregoing structure balances the need for efficient identification of appointees with identifying a broad set of potential appointees.

Additional features of the foregoing vote include measures to balance the CPC’s autonomy with the need to consult important Town bodies responsible for advocating for residents’ interests, budgeting, and long-term planning, including the Finance Committee, the Capital Planning Committee, this Board, and the Council on Aging, among others.

Mr. Greeley stated he would like this article vote to be reconsidered and wants the full board in attendance to vote. He feels strongly that one Selectmen and the Town Manager should be involved in the search and interviewing process.

Mr. Greeley moved to table.

SO VOTED (4-0)

Article 16 Acceptance of Legislation/Complete Streets Program

**ARTICLE 16**

**ACCEPTANCE OF LEGISLATION/  
COMPLETE STREETS PROGRAM**

**VOTED: That Section 1 of Chapter 90 I of the General Laws, as added by Chapter 79 Sec. 7 of the Acts of 2014 (Complete Streets Program), Section 34, be and is hereby is accepted. (5-0)**

**COMMENT:** During the 2014 Legislative Session, the Commonwealth enacted a “Complete Streets” statute, which, among other things projected to make \$50,000,000 in street and sidewalk improvement funds available to Massachusetts municipalities over the next 5 years. The overall purpose of these funds is to help

communities plan and construct “streets that provide accommodations for users of all transportation modes, including, but not limited to walking, cycling, public transportation, automobiles and freight.” Such goals align well with plans already developed by the Town, but certain measures must be taken by Town Meeting and the Board of Selectmen to be eligible for such funding.

First, Town Meeting must accept c. 90 I. Second, after accepting the statute, the Town must develop a Complete Streets Policy, which, according to MassDOT, may be done either by subsequent adoption of a Complete Streets bylaw, or a policy of the Board of Selectmen as the Town’s body responsible for public ways and traffic. Through either vehicle the Town’s Complete Streets policy need only set forth the Town’s commitment to a complete streets paradigm with a flexible set of guidelines, which may allow for exceptions. However, the initial step to eligibility for substantial resources is acceptance of c. 90 I by Town Meeting, which the Board strongly recommends.

Mr. Dunn requested Town Counsel to include more information about the program in the comments.

Mr. Dunn moved to table.

SO VOTED (4-0)

### **CORRESPONDENCE RECIEVED**

Response to Changing of Flight Patterns of Runway 33L

Elizabeth L. Ray, Federal Aviation Administration - Be Rec'd

The Selectmen agreed they were dissatisfied with the response letter from the Federal Aviation Administration and will consider more action at a future meeting.

Veterans Council Seeking Members

Jeffrey A. Chunglo, Director of Veterans Services - Be Rec'd

Mr. Curro moved receipt of correspondence.

SO VOTED (4-0)

Mr. Greeley moved to adjourn at 10:05 PM.

SO VOTED (4-0)

### **NEW BUSINESS**

Mr. Greeley announced the Selectones will be performing at the St. Camillus St. Patrick’s Day celebration this Saturday night.

Mr. Greeley reported that Arlington High School participated in a Quiz Show and have made it to round 16 competing against 160 schools.

Mr. Dunn stated that Saturday, March 14<sup>th</sup> is Super Pi Day with digits lining 3.1415926.

Mr. Curro congratulated the Police on their awards night last week.

Mr. Byrne congratulated the Arlington High School Varsity Basketball team for their great season and making it into the playoffs.

Mr. Byrne reported that Arlington’s Sister City Nagaokakyo’s new Mayor is Mayor Kengo Nakakoji. A letter of congratulations and reaffirmation of Arlington’s commitment was sent to the new Mayor.

## EXECUTIVE SESSION

Next Meeting of BoS March 23, 2015

A true record: Attest

Mary Ann Sullivan  
Selectmen's Office

3/9/15

Agenda Item	Documents Used
1	2.23.15 draft minutes
2	Election Worker Master Record
3	Town Bylaws Committee Membership Reappointment Request from Comm. Chair Meeting Notices
4	One Day/Special Application
5	Town Manager Recommendation Vanderhill Letter Meeting Notice
6	Cover letter Resume
7	CV application Wine & Malt Application
8	Draft Parking Policies and Regulations
9	Performance Review Consensus
10	Calendar April-June
Article Hearings	Warrant Articles #7,#13 and #46 text Town Counsel Memo 3.16.15-Articles #7,#13,#46 ARB Comments #6, #7,#46 Letter to 10 registered voter article #7 July 4 <sup>th</sup> Signage presentation
Final Votes &Comments	Draft Warrant Hearing Comments-D.Heim
Corr.Recvd	FAA letter J.Chunglo email



## **Town of Arlington, Massachusetts**

---

**Appointments of New Election Workers: (1) Aroxy Mesropian, 462 Appleton Street, U, Pct. 3; 2) Evelyn Lewis, 4 Winslow Street, U, Pct.11 ; 3) Carol Philips, 74 Mary Street, D, Pct. 6**

### **ATTACHMENTS:**

Type	Description
 Reference Material	Master Records

ELECTION WORKER'S MASTER RECORD.

Date: 3-12-15

Check One: ✓ New Employee  
           Change to Existing Employee

Vendor # \_\_\_\_\_

Position INSPECTOR

Name: AROXY MESROPIAN

Democrat \_\_\_\_\_

Address: 462 APPLETON STREET

Republican \_\_\_\_\_

Arlingrow

Uneprolled ✓

Zip Code: 02476

Precinct 3

Alpha/Last Name: \_\_\_\_\_

Phone # (781) 648-3417

**Position Codes:**

10 - Warden  
20 - Deputy Warden  
30 - Inspector  
40 - Deputy Inspector  
50 - Clerk

60 - Deputy Clerk  
70 - Teller  
80 - Substitute  
90 - Custodian

# ELECTION WORKER'S MASTER RECORD

Date: 3/18/15

Check One: ☒ New Employee  
☐ Change to Existing Employee

Vendor # \_\_\_\_\_

Name: Evelyn Lewis

Address: 4 Winslow St

(Apt. 906) Arlington

Zip Code: 02474

Alpha/Last Name: \_\_\_\_\_

Position \_\_\_\_\_

Democrat \_\_\_\_\_

Republican \_\_\_\_\_

Unenrolled ☒

Precinct 11

Phone # 781-859-5512

Position Codes:

10 - Warden  
20 - Deputy Warden  
30 - Inspector  
40 - Deputy Inspector  
50 - Clerk

60 - Deputy Clerk  
70 - Teller  
80 - Substitute  
90 - Custodian

ELECTION WORKER'S MASTER RECORD

Date: 3/19/15

Check One: ☒ New Employee  
☐ Change to Existing Employee

Vendor # \_\_\_\_\_ Position \_\_\_\_\_

Name Carol Philips Democrat ☒

Address 74 Mary Street Republican \_\_\_\_\_

\_\_\_\_\_ Unenrolled \_\_\_\_\_

Zip Code 02476 Precinct 6

Alpha/Last Name \_\_\_\_\_ Phone # Home 781-648-5946  
Cell - 781-526-8433

Position Codes:

10 Warden	60 Deputy Clerk
20 Deputy Warden	70 Teller
<u>30 Inspector</u>	80 Substitute
40 Deputy Inspector	90 Custodian
50 Clerk	



## Town of Arlington, Massachusetts

---

**Request: Common Victualler**

**Summary:**

Maria's Pizzeria, 86 Massachusetts Avenue, Ruzanna Zakaryan

**ATTACHMENTS:**

Type	Description
 Reference Material	Common victualler application



## LICENSE APPLICATION REPORT

Type of License: Common Victualler License

Name of Applicant: Pizzeria Maria, Inc. d/ba Maria's Pizzeria

Address: 86 Mass. Ave.

The following Departments have **no objections** to the issuance of said license:

- Police   x
- Fire
- Health
- Building
- Planning

The following Departments have **no objections** but have made comments or conditions regarding the issuance of said license: (see attached)

- Police
- Fire       x
- Health       x
- Building       x
- Planning       x

The following Departments have **objections** to the issuance of said license:  
(see attached)

- Police
- Fire
- Health
- Building
- Planning

**BOARD OF SELECTMEN  
TOWN OF ARLINGTON - INSPECTION REPORT**

Report is due at the Office of the Board of Selectmen by, March 18, 2015  
**ONE REPORT IS REQUIRED FROM EACH DEPARTMENT.**

Location: 86 Massachusetts Ave.  
Applicant's Name: Ruzanna Zakaryan  
D/B/A: Maria's Pizzeria  
Telephone: 617 755-2845  
Department: Sent Interoffice Mail & E-mail

Date: 2/18/15

MEETING DATE: MARCH 23, 2015

Departments:

**RE: COMMON VICTUALLER**

Police  
Fire  
Board of Health  
Building  
Planning

Comments by each Division or Department:

- *This office is currently reviewing the plan review application that was submitted for Marla's Pizza. A letter will be sent to the owner outlining the conditions of approval by the end of the week.*
- *Once the plans have been approved and conditions outlined in the approval letter have been met, this office will conduct a final inspection before a permit to operate a food establishment will be issued.*
- *It is the owner's/manager's responsibility to ensure that the establishment complies with 105 CMR 690.000 (1990 Food Code)*

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicant's risk.

Applicant's Name: RUZANNA ZAKARYAN

Date: 03-18-2015

**BOARD OF SELECTMEN****TOWN OF ARLINGTON - INSPECTION REPORT**

Report is due at the Office of the Board of Selectmen by March 18, 2015

**ONE REPORT IS REQUIRED FROM EACH DEPARTMENT.**

Location: 86 Massachusetts Ave.

Applicant's Name: Ruzanna Zakaryan

D/B/A: Maria's Pizzeria

Telephone: 617 755-2845

Department: Sent Interoffice Mail & E-mail

Date: 2/18<sup>20</sup>/15

**MEETING DATE: MARCH 18, 2015**

Inspected By: *Ted Fields 2.20.2015 (received by Planning 2.18.2015)*

Departments:

**RE: Common Victualler**

(Note: formerly Maria's Pizza)

Police

Fire

Board of Health

Building

Planning

**Comments by each Division or Department:**

The business proposed for this site is a 650 square foot restaurant selling Italian lunch and dinner food for consumption on and off the premises seven days per week. There is proposed seating for 11 patrons with no assigned on-street or off-street parking spaces. It is a small enterprise serving the residential neighborhoods surrounding the East Arlington business district (zone B2). It is an appropriate type of business for this setting.

The Dept. of Planning and Community Development has no objection to the amendment of the establishment's Common Victualler's License as requested.

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicant's risk.

Applicant's Name: RUZANNA ZAKARYAN

Date: 03-18-2015

**BOARD OF SELECTMEN  
TOWN OF ARLINGTON - INSPECTION REPORT**

Report is due at the Office of the Board of Selectmen by, March 18, 2015  
**ONE REPORT IS REQUIRED FROM EACH DEPARTMENT.**

Location: 86 Massachusetts Ave.  
Applicant's Name: Ruzanna Zakaryan  
D/B/A: Maria's Pizzeria  
Telephone: 617 755-2845  
Department: Sent Interoffice Mail & E-mail Date: 3/17/2015

**MEETING DATE: MARCH 23, 2015**

Departments:

**RE: COMMON VICTUALLER**

Police  
Fire  
Board of Health  
Building  
Planning

Comments by each Division or Department:

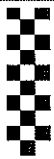
The Department of Inspectional Services has no objection with the issuance of this License.

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicant's risk.

Applicant's Name: RUZANNA ZAKARYAN

Date: 03-18-2015





ARLINGTON POLICE DEPARTMENT

**Frederick Ryan**  
Chief of Police



POLICE HEADQUARTERS  
112 Mystic Street  
Telephone 781-316-3900

*Town of Arlington*  
MASSACHUSETTS 02474

February 19, 2015

On Thursday, February 19, 2015 at 9:30 AM, I called and spoke with Ruzanna Zakaryan regarding this application for a Common Victualler License for Maria's Pizzeria, located at 86 Mass. Ave. Ms. Zakaryan stated that she doesn't have a date yet that she will be taking over Maria's Pizzeria but would be making no changes when she does. Ms. Zakaryan stated that she would not be serving alcohol at this time in the restaurant.

I advised Ms. Zakaryan that the Board of Selectmen may be conducting C.O.R.I and S.O.R.I checks during the application process.

Pending the checks conducted by the Board of Selectmen's Office, Arlington Police Dept. is not aware of any law enforcement or public safety reasons to object to the Common Victualler License for Maria's Pizzeria.

Respectfully Submitted,

Detective Edward DeFrancisco

RUZANNA ZAKARYAN [Signature]  
Signature  
03-18-2015  
Date

*"Proactive and Proud"*

**BOARD OF SELECTMEN  
TOWN OF ARLINGTON - INSPECTION REPORT**

Report is due at the Office of the Board of Selectmen by, March 18, 2015  
**ONE REPORT IS REQUIRED FROM EACH DEPARTMENT.**

Location: 86 Massachusetts Ave.  
Applicant's Name: Ruzanna Zakaryan  
D/B/A: Maria's Pizzeria  
Telephone: 617 755-2845  
Department: Sent Interoffice Mail & B-mail

Date: 2/18/15

MEETING DATE: MARCH 23, 2015

Departments:

**RE: COMMON VICTUALLER**

Police

Fire

Board of Health

Building

Planning

Comments by each Division or Department:

Make sure all required inspections and tests are done - Fire extinguishers, Fire Alarm system, Kitchen suppression system, Hood cleaning, Emergency lights, Exit signs, Sprinkler system, Exit access and House Keeping

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicant's risk.

Applicant's Name: RUZANNA ZAKARYAN

Date: 03-18-2015

OFFICE OF THE BOARD OF SELECTMEN  
730 Massachusetts Avenue  
Town of Arlington  
Massachusetts 02476-4908

(781) 316-3020  
(781) 316-3029 fax

\$60.00 Filing Fee

APPLICATION

☒ COMMON VICTUALLER LICENSE

☐ FOOD VENDOR LICENSE (Take Out Only)

You must complete an application packet from the Board of Health Department located at 27 Maple St.

You must have the completed application reviewed by the Inspections Department located at 51 Grove St. before filing this application with this office

Location 86 Massachusetts Ave., Arlington, MA 02474  
Name of Applicant Ruzanna Zakaryan  
Corporate Name (if applicable) Pizzeria Maria, Inc.  
D/B/A Maria's Pizzeria  
Date 2/17/2015

I/We hereby agree to conform in all respects to the conditions governing such License as printed in the By-Laws of the Town, and such other rules and regulations as the Selectmen may establish. With the signing of this application, the applicant acknowledges that:

(A) it is understood that the Board is not required to grant the license.

(B) no work is to commence at the premises of the proposed location which is the subject matter of this application until the license is approved by the Board of Selectmen, and, furthermore, any work done is done at the applicant's risk, and

(C) in the event of a proposed sale of a business requiring a Common Victualler License, an application for a transfer of said license will be deemed to be an application for a new license (subject to the rules and regulations herein contained), and the owner of such business shall be required to file with the Board of Selectmen a thirty day notice of his intention to sell same before such application will be acted upon by the Selectmen.

(D) that the license is subject to revocation if the holder of the license does not comply with Town By-Laws or the Rules and Regulations of the Board.

Signature Name X [Signature]

Signature Name Ruzanna Zakaryan, President

Phone: 617-755-2845 Email: RUZANNA\_ZAKARYAN@yahoo.com

Note: (A) If a corporation, state full names and addresses of principal officers.

(B) If a co-partnership, information must be provided on each partner; if a corporation, information must be provided on corporate officer making application.

Name Ruzanna Zakaryan Name \_\_\_\_\_  
Address 81 Nichols Ave. Address \_\_\_\_\_  
City Watertown Zip 02472 City \_\_\_\_\_ Zip \_\_\_\_\_  
DESCRIPTION OF APPLICANT DESCRIPTION OF APPLICANT  
Born in the U.S., Yes \_\_\_\_\_ No ☒ Born in the U.S., Yes \_\_\_\_\_ No \_\_\_\_\_  
Born Where Yerevan, Armenia Born Where \_\_\_\_\_  
Date of Naturalization [REDACTED] Date of Naturalization \_\_\_\_\_  
Male or Female Female Male or Female \_\_\_\_\_  
Date of birth [REDACTED] Date of birth \_\_\_\_\_  
Height 5 ft. 3 in. Height \_\_\_\_\_ ft. \_\_\_\_\_ in.  
Weight 140 Weight \_\_\_\_\_  
Complexion White Complexion \_\_\_\_\_  
Hair Blonde Eyes Brown Hair \_\_\_\_\_ Eyes \_\_\_\_\_  
Mother's Name Nora Martirosyan Mother's Name \_\_\_\_\_  
Father's Name Rafik Zakaryan Father's Name \_\_\_\_\_  
Wife's Maiden Name \_\_\_\_\_'s Maiden Name \_\_\_\_\_  
Photo 1 inch by 1 inch



The Establishment shall operate as:

☐ Sole Ownership ☐ Partnership ☐ Total Number of Partners ☒ Corporation Based in Massachusetts  
(Once approved, please go to Clerk's Office for Business Certificate)

Corporate Information Required:

President Ruzanna Zakaryan, 81 Nichols Ave., Watertown, MA 02472  
Secretary Ruzanna Zakaryan, 81 Nichols Ave., Watertown, MA 02472  
Treasurer Ruzanna Zakaryan, 81 Nichols Ave., Watertown, MA 02472  
Name Address Zip



INFORMATION RELATIVE TO APPLICATION

Breakfast

Yes No ☒

Lunch

Yes ☒ No

Dinner

Yes ☒ No

Do you own the property? Yes No ☒ Tenant At Will Lease ☒ 5 1/2 years

Hours of Operation:

Days: Monday - Saturday Hours 11:00 a.m. - 10:00 p.m.

Day Sunday Hours 12:00 p.m. - 9:00 p.m.

Day Hours

Floor Space 650 Sq. Ft. Seating Capacity (if any) 11

Parking Capacity (if any) 0 spaces Number of Employees 3

List Cooking Facilities (and implements)

2 pizza ovens, flat grill, char-broiler, fryolator,  
2 burners

Will a food scale be in use for sale of items to the public? Yes No ☒

Will catering services be provided by you? Yes ☒ No

*A copy of the following items must be submitted with the application:*

1. Layout Plan of Facility & Fixtures
2. Site Plan (obtained at Bldg. Dept., 51 Grove St.)
3. Outside Facade and Sign Plan (dimensions, color)
4. Menu
5. Maintenance Program

If the facilities are not yet completed, provide estimated cost of work to be done \$

FOR OFFICE USE ONLY

Scheduled Hearing when Application will be presented to Board of Selectmen for approval:

Date Time

Board Action: Approved Yes No

## APPLICANT'S RESUME

### Food Business Experience of Applicant

From <u>2011</u>	to <u>Present</u>
Employee <u>at Ford's Grill, Inc.</u>	D/B/A <u>Ford's Falafel &amp; Deli</u>
Sole Owner _____	Location <u>555 Mt. Auburn St., Watertown, MA 02472</u>
Partnership _____	Type Food <u>American &amp; Middle Eastern</u>
Corporation _____	Number of Employees <u>4</u>

From <u>2003</u>	to <u>2011</u>
Employee <u>at</u>	D/B/A <u>Heidi's Restaurant</u>
Sole Owner _____	Location <u>723 Moody St., Waltham, MA 02453</u>
Partnership _____	Type Food <u>Breakfast &amp; Lunch</u>
Corporation _____	Number of Employees <u>4</u>

List any other information that you feel will assist in the review of this application.

After many years of working for someone else, I have acquired the knowledge and experience needed to operate my own restaurant. This is a well established business and I intend to operate it without making changes.

### REFERENCES

Bank <u>Citizens Bank</u>	Type Account <u>Personal</u> <input checked="" type="checkbox"/> Business _____
Address <u>631 Mt. Auburn St., Watertown, MA</u>	Phone <u>617-551-6275</u>
Account Number <u>[REDACTED]</u>	Contact _____
Personal Reference <u>Vladimir Babajanyan</u>	
Address <u>555 Mt. Auburn St., Watertown</u>	Phone <u>617-803-7479</u>
Prior Employer <u>Heidi's Restaurant</u>	
Address <u>723 Moody St., Waltham</u>	Phone <u>781-891-5827</u>
Number of years employed <u>9</u>	From <u>2003</u> To <u>2011</u>
Contact <u>George Ohanesyan</u>	Position Held <u>Cook</u>
Other _____	

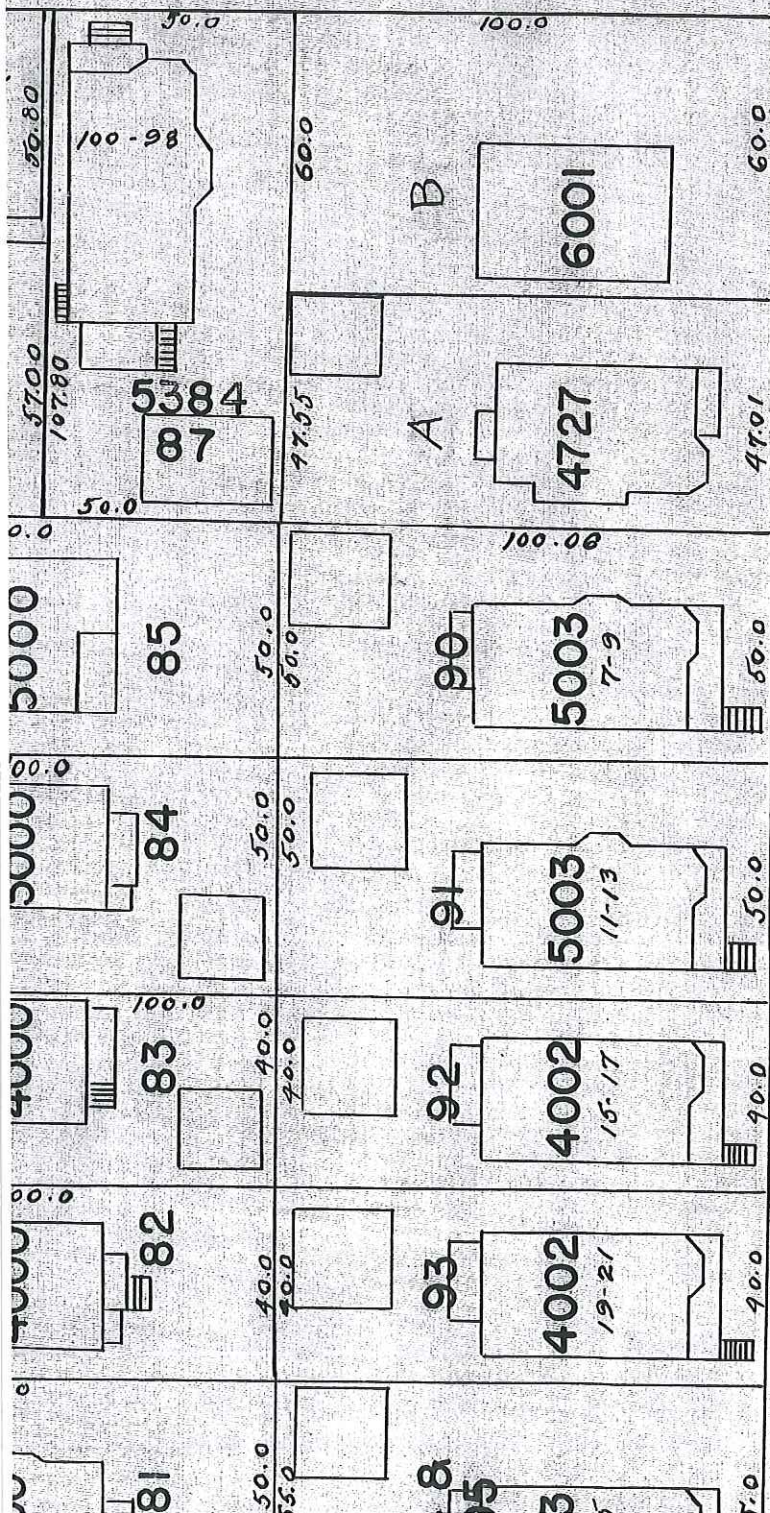
Name

Address

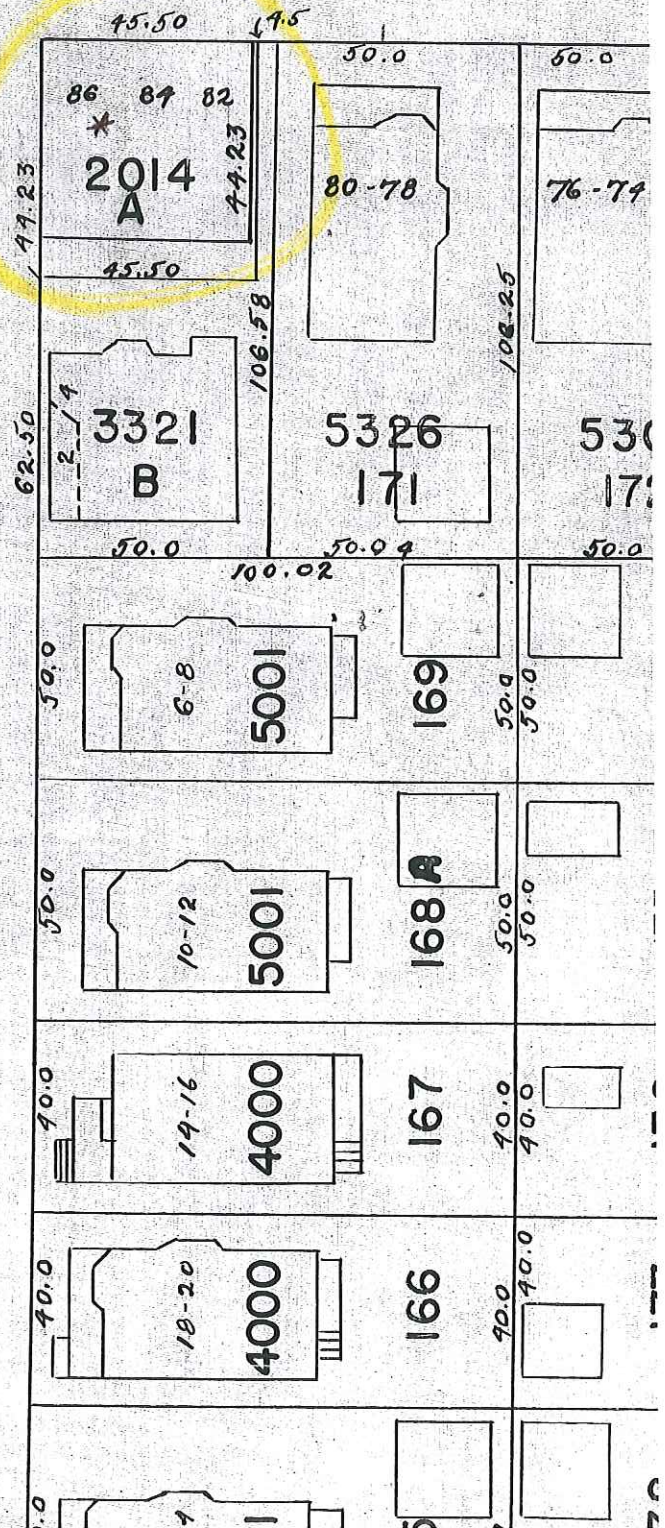


CAR TRACKS

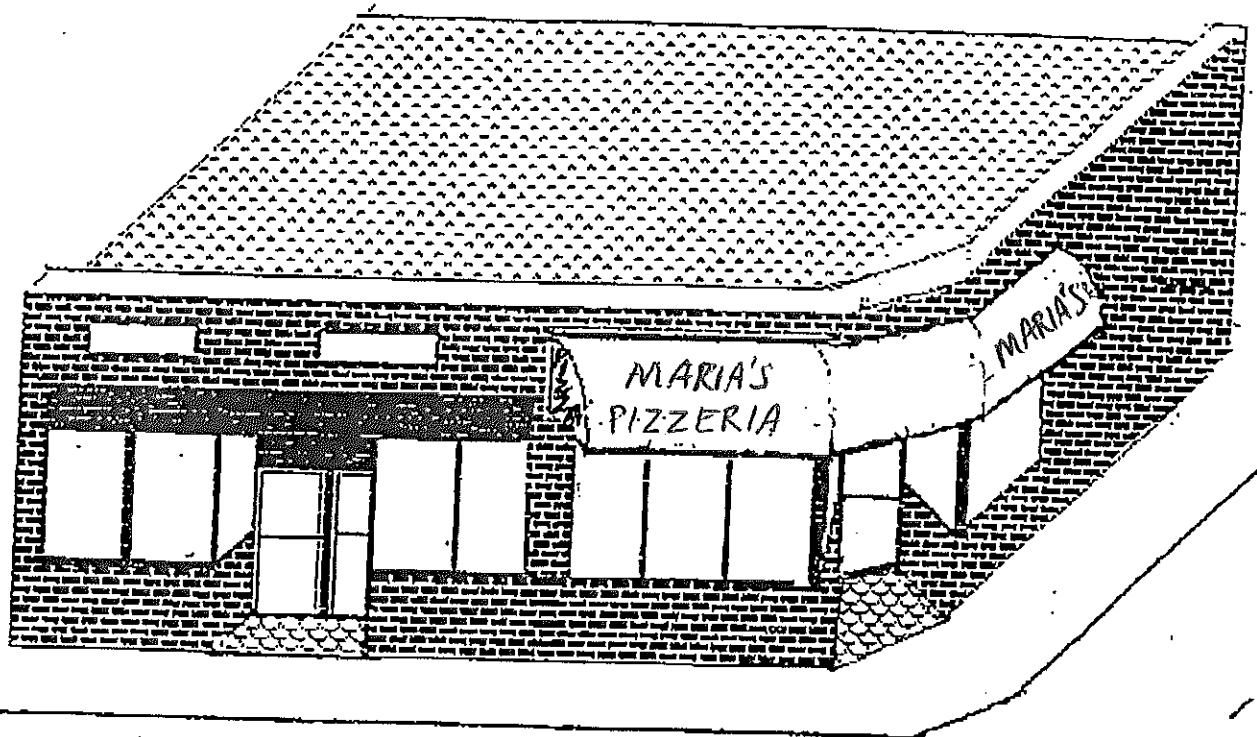
MASS.



ST.

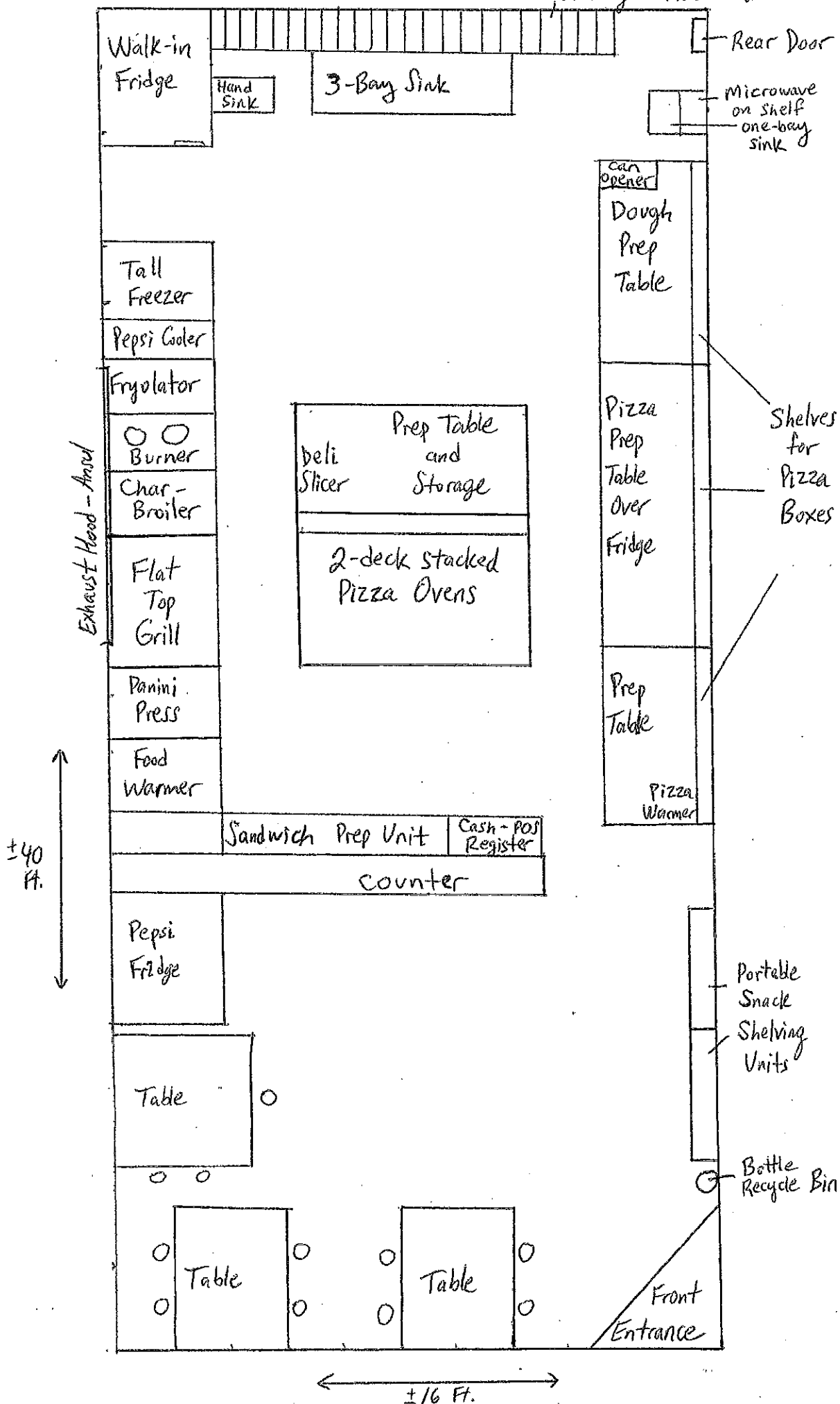




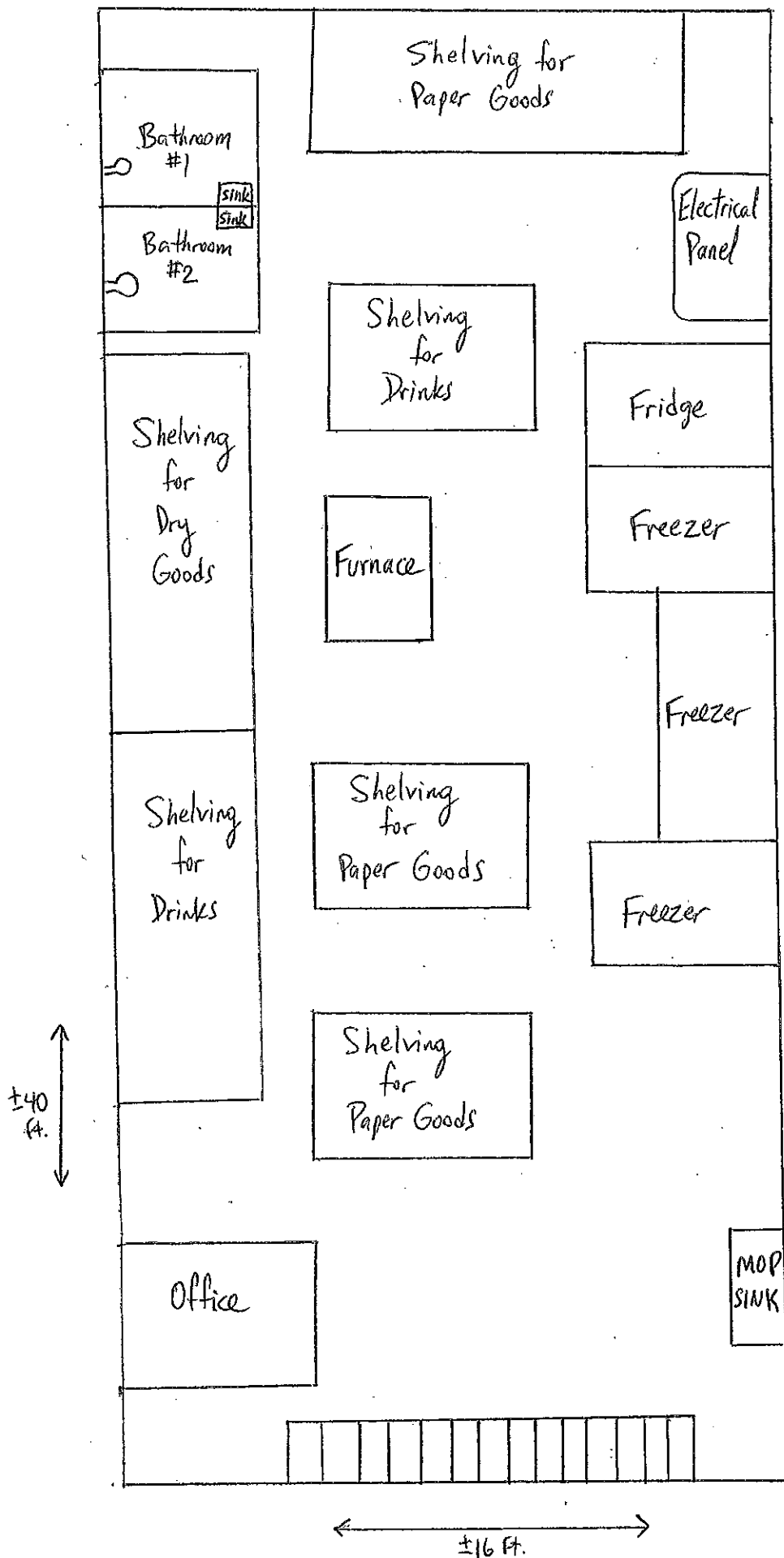


# FIRST FLOOR

Stairway down to basement



# BASEMENT



### Maintenance Program

On a daily basis, employees perform the following tasks:

- Wipe down and sanitize all counters and walls
- Sweep, mop and degrease floors inside
- Sweep sidewalk outside when outdoor seating is used
- Clean bathrooms
- Empty out trash
- Empty out oils
- Wash utensils, pots, pans, etc.
- Clean grills and cooking surfaces



## PANINI

Mesan Panini . . . . .	7.50	Classico . . . . .	6.75
enders topped with homemade		Tomato, feta, oregano and olives	
ce and provolone cheese		Italiano . . . . .	6.95
on Bleu Panini . . . . .	7.25	Mortadella, hot ham, salami, provolone,	
hicken tenders, American		oil, oregano	
ed with honey mustard		Fresco Panini . . . . .	7.75
. . . . .	6.95	Fresh tomato, fresh mozzarella cheese,	
provolone cheese, pickles		fresh basil, drizzled with extra virgin olive oil	
. . . . .	6.95	Roma Panini . . . . .	6.75
in cheese and tomato		Feta Cheese, black olives, fresh baby	
		spinach & sundried tomatoes	



## PASTA

(Spaghetti or Ziti - Served with Garlic Bread)

Sauce . . . . .	5.75	Stuffed Shells with Sauce . . . . .	6.95
alls . . . . .	6.95	Chicken Ziti Broccoli . . . . .	8.95
je . . . . .	6.95	Cheese Ravioli . . . . .	8.25
nt Parmesan . . . . .	6.95	Served with 8 pieces, sauce and cheese	
rmesan. . . . .	6.95	Extra Melted Cheese . . . . .	1.00
n Parmesan. . . . .	6.95		



## SEAFOOD

with salad, and a choice of  
ries, onion rings, or rice)

S . . . . .	13.95
ier . . . . .	11.95
er. . . . .	11.95
Platter . . . . .	14.95

od dinners are served with  
lemon, and tartar sauce)

ADVISORY WARNING FOR RAW  
ANCE WITH THE DEPARTMENT OF PUBLIC  
E THAT EATING RAW OR UNDERCOOKED  
SEAFOOD POSSES A RISK TO YOUR HEALTH  
UR ORDER, PLEASE INFORM YOUR SERVER  
YOUR PARTY HAS A FOOD ALLERGY.

PRSKT STD  
US POSTAGE  
PAID  
PERMIT #151  
SAUGUS, MA



Italian-Style  
Hand-Tossed  
Pizza

**WE DELIVER!**  
**781-648-8011**

Hours:

Monday - Saturday 11:00 AM - 10:00 PM  
Sunday - 12:00 PM - 9 PM



Like us at  
facebook.com/MariasPizzeriaAndGrille



GIFT CARDS  
AVAILABLE

**CONTACT US FOR YOUR NEXT CATERING EVENT!**

*We use Fresh Herbs &  
Vegetables, the Finest  
Meats, Cheeses &  
Ingredients in every one  
of our Amazing Creations*

86 MASSACHUSETTS AVE.  
ARLINGTON, MA 02474  
[www.mariaspizzeriaandgrille.com](http://www.mariaspizzeriaandgrille.com)





## APPETIZERS

	Small	Large
Fries . . . . .	3.25	3.95
As . . . . .	3.50	4.25
Wings . . . . .	3.50	4.25
Fries . . . . .	3.95	4.95
es . . . . .	3.25	3.95
Fingers . . . . .	5 Pcs 5.95	8 Pcs 8.75
Wings . . . . .	6 Pcs 5.50	10 Pcs 7.75
ingers . . . . .		7.95
with blue cheese and celery sticks.		
ble, BBQ sauce, Honey BBQ sauce,		
d Honey Mustard)		
Fings . . . . .		7.95
with blue cheese and celery sticks.		
ble, BBQ sauce, Honey BBQ sauce,		
d Honey Mustard)		
la Sticks . . . . .	6 Pcs 5.25	10 Pcs 7.25
Grilled Cheese Sandwich . . . . .		2.95
Hummus with Pita Chips . . . . .		5.95
Fried Dough Babies . . . . .		3.95
Fried dough with cinnamon, powdered		
sugar & served with glaze		
Jalapeno Poppers . . . . .		10 Pcs 6.95
With cheddar cheese or cream cheese		
Garlic Bread . . . . .		2.95
Garlic Bread with Cheese . . . . .		3.50
Rice Pilaf . . . . .		3.50
Fried Ravioli . . . . .		10 Pcs 7.25
Steamed Broccoli . . . . .		4.75
Chicken Quesadilla . . . . .		7.50
Our zesty marinated grilled chicken with		
grilled peppers and onions melted with our		
mozzarella cheese, served with sour cream		
Extra Sauce . . . . .		0.50

## SALADS

All salads served with Pita bread and your choice of dressing

Caprese Salad . . . . .	7.95
Fresh mozzarella, tomatoes & basil on a bed	
of romaine lettuce	
Chicken Kabob . . . . .	7.95
Greek Chicken Kabob . . . . .	8.50

### EXTRAS

Add Grilled Chicken . . . . .	3.00
Add Grilled Shrimp . . . . .	4.00
Add Steak Tips . . . . .	4.00
Add Feta Cheese . . . . .	0.75
Extra Dressing or Bread . . . . .	0.50

### DRESSINGS

Italian • Creamy Italian • Lite Italian  
Greek • French • Caesar • Ranch  
Blue Cheese • Thousand Island  
Parmesan Peppercorn • Raspberry  
Vinaigrette • Balsamic Vinaigrette

## THIN CRUST PIZZA

Sm. 12"

Cheese . . . . .	7.95
Toppings Add . . . . .	1.00
Specialty Toppings Add . . . . .	1.50

### TOPPINGS

**Vegetables**  
Artichoke Hearts  
Banana Pepper Rings  
Black Olives  
Broccoli  
\*Caramelized Onion  
Eggplant  
\*Fresh Basil  
Fresh Garlic  
Fresh Mushroom  
Green Pepper  
Jalapeno Peppers  
Pineapple  
Roasted Red Pepper  
Sliced Tomato  
Spinach  
\*Sun-dried Tomatoes  
White Onion

**Meats**  
Bacon  
\*Breaded Chicken  
Ham  
Hamburger  
Italian Sausage  
\*Grilled Chicken  
Meatball  
Pepperoni  
Salami

**Cheese**  
American Cheese  
Bleu Cheese  
Feta Cheese  
\*Fresh Mozzarella  
Provolone Cheese  
\*Ricotta

\*Anchovies

\* Specialty Topping

White pizza is without any sauce



## DESIGNER PIZZAS

	Sm. 12"	Lg. 16"	Sm. 12"
Hawaiian . . . . .	9.45	14.45	Maria's Special . . . . . 10.95
Ham & Chopped Pineapple			Our popular combination of wonderfu
BBQ Chicken Pizza . . . . .	9.75	15.25	garden vegetables and meats includi
Grilled chicken with BBQ sauce and			pepperoni, Italian sausage, hamburg
mozzarella cheese			green peppers, onions, mushrooms a
Buffalo Chicken Pizza . . . . .	9.75	15.25	olives
Perfect combination of all white breaded			Margarita Pizza . . . . . 9.95
chicken, buffalo sauce topped with			Our famous cheese pizza topped with
mozzarella cheese			basil, tomato and fresh mozzarella
Veggie #1 . . . . .	9.95	15.95	Mediterranean Pizza . . . . . 9.95
Green peppers, white onions, fresh			Feta Cheese, black olives, fresh baby
mushrooms and olives			spinach, red onions, green peppers t
Veggie #2 . . . . .	9.95	15.95	on a bed of homemade tomato sauce
Fresh tomato, broccoli, eggplant and olives			mozzarella cheese
Florence . . . . .	9.95	15.95	Chicken Pesto . . . . . 10.40
Tomato, feta and olives			Marinated grilled chicken, pesto sauc
Milan . . . . .	9.95	15.95	fresh tomato and garlic
Fresh spinach, feta and garlic			Chicken Fajita . . . . . 10.40
Marengo . . . . .	10.40	16.50	Grilled white meat chicken, black oliv
Marinated chicken, roasted red peppers and			green peppers and onions
onions			The 3 Cheese . . . . . 9.95
Meat Lovers Pizza . . . . .	10.40	16.50	A white pizza combining the tastes of
Pepperoni, Italian sausage, hamburger and			mozzarella, ricotta and asiago cheese
bacon			Ranch Chicken
Ultimate Veggie . . . . .	10.95	16.95	and Bacon . . . . . 9.75
A healthy choice of white onions, green			Diced tender chunks of chicken comi
peppers, fresh mushrooms, sliced olives,			with tomatoes and bacon spread out
sliced tomato, baby spinach and broccoli			our special ranch sauce (No red sauc
Steak Bomb Pizza . . . . .	9.95	15.75	The Bostonian . . . . . 9.95
Steak, onions, green peppers, mushrooms			Refreshing combination of Sweet Ital.
and salami			sausage covered with sweet roasted
Sweet Heat BBQ			peppers and caramelized onions. Got
Chicken Pizza . . . . .	9.95	15.25	time of the year!
Breaded chicken tossed in our sweet heat			Romano (White Pizza) . . . . . 9.95
BBQ sauce and topped with mozzarella			Freshly cut tomato slices smothered v
cheese			mozzarella cheese and topped with m
Chicken and			garlic
Broccoli Alfredo . . . . .	9.50	15.95	Naples . . . . . 9.75
Marinated grilled chicken and broccoli on a			Perfect combination of fresh baby spir
bed of alfredo sauce topped with mozzarella			and caramelized onions over our moz
cheese			cheese and homemade red sauce

ADD STATE MEAL TAX TO ALL PRICES  
PRICES, ITEMS & OFFERS ARE SUBJECT TO CHANGE WITHOUT NOTICE

## COLD SUBS

	Small	Large		Small	Large
Veggie . . . . .	5.50	6.50	American . . . . .	5.95	6.95
Italian . . . . .	5.95	6.95	Turkey . . . . .	5.95	6.95
Ham & Cheese . . . . .	5.95	6.95	Roast Beef . . . . .	5.95	6.95
Genoa Salami . . . . .	5.95	6.95	Tuna . . . . .	5.95	6.95
B.L.T. . . . .	5.95	6.95	Extra Cheese . . . . .	0.35	0.50

## HOT SUBS

	Small	Large		Small	Large
Meatball . . . . .	5.95	6.95	Pastrami . . . . .	5.95	6.95
Sausage . . . . .	5.95	6.95	Steak & Cheese* . . . . .	5.95	6.95
Pepper & Egg . . . . .	5.75	6.75	Veal Cutlet . . . . .	5.95	6.95
Eggplant Parmesan . . . . .	5.95	6.95	Chicken Cutlet . . . . .	5.95	6.95
Hamburger* . . . . .	5.75	6.75	Grilled Chicken . . . . .	5.95	6.95
Cheeseburger* . . . . .	5.95	6.95	Buffalo Chicken . . . . .	5.95	6.95
Maria's Burger on a Bun* . . . . .	6.75	6.95	Chicken Parmesan . . . . .	5.95	6.95
Gyro on Pita Bread (Beef or Chicken)	6.75	6.95	Veggie Burger . . . . .	5.95	6.95

## ADD ONS

	Small	Large
Add Grilled Onions, Green Peppers and Mushrooms to any sub . . . . .	0.35	0.50
Add Cheese: Choice of Provolone or American . . . . .	0.35	0.50
Extra Cheese . . . . .	0.35	0.50

## SPECIALTY SUBS

	Small	Large		Small	Large
Chicken Ranch B.L.T. . . . .	6.25	7.75	Steak Tip* . . . . .	7.25	8.25
<i>Crispy chicken, bacon, lettuce &amp; tomato dressed with Buttermilk ranch dressing</i>			<i>Our homemade delicious steak tips grilled to perfection topped with anything you wish</i>		
Turkey Club . . . . .	6.25	7.75	Chicken Cordon Bleu . . . . .	6.75	7.95
<i>99% fat free Turkey, with bacon, lettuce, tomato &amp; a touch of mayonnaise</i>			<i>Imported baked ham, with your choice of cheese, seasoned with a touch of mayonnaise, crispy chicken and topped with lettuce and tomato</i>		
Cheeseburger Club* . . . . .	6.25	7.75	Chicken Delight . . . . .	6.75	7.75
<i>Charbroiled extra lean hamburger cooked as you like, with bacon, touch of mayonnaise and topped with lettuce &amp; tomato</i>			<i>Our marinated grilled chicken, topped with feta cheese, tomato and a drizzle of imported virgin olive oil</i>		
Steak Bomb* . . . . .		8.25	Maria's Burrito . . . . .		7.95
<i>Extra lean seasoned shaved steak with grilled onions, mushrooms, peppers and salami with melted American Cheese</i>			<i>(Substitute for steak tips add \$1.00)</i>		
Chicken Stir Fry . . . . .	6.75	7.95	<i>Our marinated grilled chicken sautéed with green peppers, mushrooms and onions, blended together with rice and mozzarella cheese with a hint of teriyaki sauce</i>		
<i>Grilled chicken sautéed with onions, mushrooms and peppers in teriyaki sauce</i>					

## DINNERS

*Dinners Served with Salad and choice of Fries, Onion Rings, or Rice  
Substitute for curly french fries or steak fries add 50 cents.*

Hamburger* . . . . .	8.50	Steak Tip Dinner* . . . . .	11.95
Cheeseburger* . . . . .	8.95	Buffalo Wing . . . . .	10.50
Chicken Finger . . . . .	9.50	<i>(also available in BBQ, Honey BBQ, Teriyaki and Honey Mustard sauce)</i>	
Chicken Wing . . . . .	9.50	Maria's Burger . . . . .	9.95
Double Cheeseburger* . . . . .	9.95	<i>5oz beef patty, sautéed onions and mushrooms, mozzarella cheese, BBQ sauce, lettuce, tomato mayonnaise</i>	
Veggie Burger . . . . .	9.50	Grilled Chicken Kabob . . . . .	9.95
Maria's Specialty Rice . . . . .	10.50	Gyro (beef or chicken) . . . . .	8.95
<i>(menu item is served with rice). Marinated grilled chicken, grilled onions, peppers and mushrooms blended together with rice and a hint of teriyaki sauce (substitute for steak tips add \$1.00)</i>		<i>Our beef gyro or chicken cooked and served on gyro bread dressed with our yogurt and cucumber sauce topped with lettuce, tomato &amp; onion</i>	
Buffalo Finger . . . . .	10.50	Turkey Club Dinner . . . . .	9.50
<i>(also available in BBQ, Honey BBQ, Teriyaki and Honey Mustard sauce)</i>			



**\$2.00 OFF!**

**ANY  
LARGE  
CALZONE**

One Coupon Per Customer.  
Coupons May Not Be Combined With Any Other Offer.  
Must mention coupon while ordering

**FREE**

**Free Small  
Cheese Pizza with  
the purchase of  
\$18 or more**

One Coupon Per Customer.  
Coupons May Not Be Combined With Any Other Offer.  
Must mention coupon while ordering

**SPECIAL**

**Buy any Large Designer Pizza  
and get a Large Cheese for**

**\$7.00**

+TAX  
(Extra charge for Toppings)

One Coupon Per Customer.  
Coupons May Not Be Combined With Any Other Offer.  
Must mention coupon while ordering

**SPECIAL**

**\$1.50 OFF  
any Large  
Topping Pizza**

One Coupon Per Customer.  
Coupons May Not Be Combined With Any Other Offer.  
Must mention coupon while ordering

**FREE**

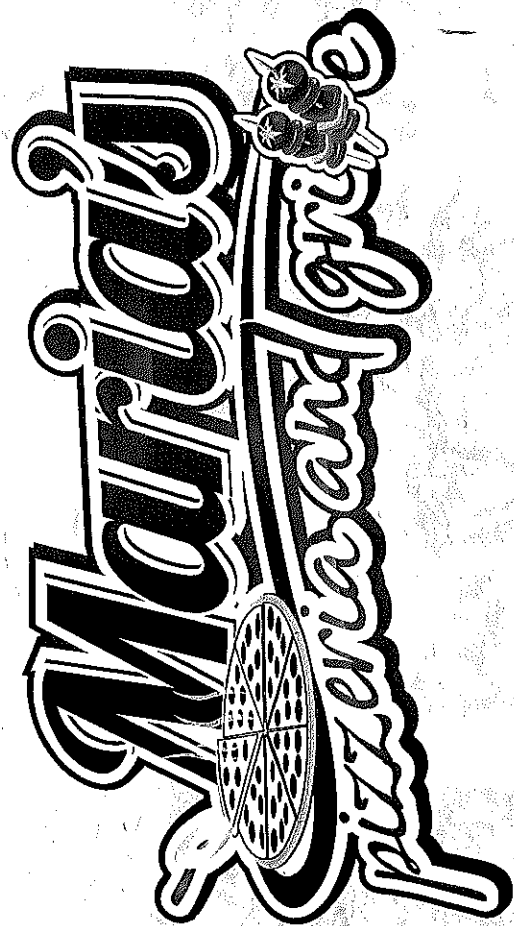
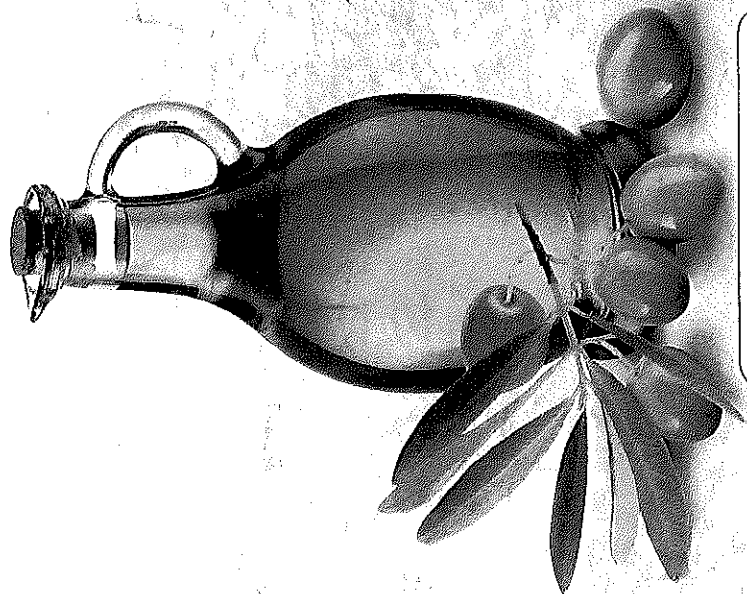
**Free order of  
Fried Dough Babies  
with purchase of  
\$10 or more**

One Coupon Per Customer.  
Coupons May Not Be Combined With Any Other Offer.  
Must mention coupon while ordering

**SPECIAL**

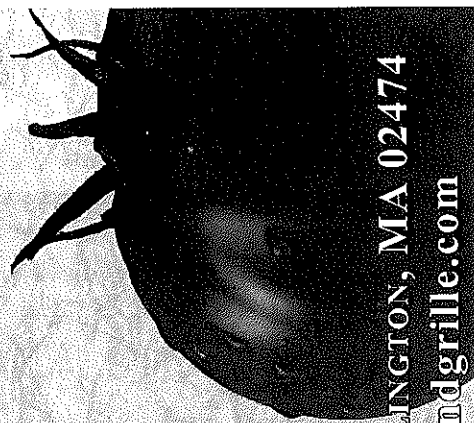
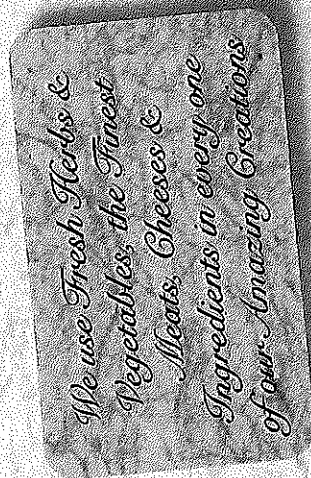
**2 LARGE  
1-TOPPING PIZZAS  
& 2 LT. SODA  
19.99**

+TAX  
One Coupon Per Customer.  
Coupons May Not Be Combined With Any Other Offer.  
Must mention coupon while ordering



## CATERING MENU

# 781-648-8011



86 MASSACHUSETTS AVE., ARLINGTON, MA 02474  
[www.mariaspizzeriaandgrille.com](http://www.mariaspizzeriaandgrille.com)

PRSR STD  
US POSTAGE  
PAID  
PERMIT #151  
SAUGUS, MA



86 Massachusetts Ave.,  
East Arlington, MA 02474

## SALADS

### Greek Salad

Iceberg lettuce, feta cheese, kalamata olives, pepperoncini, cherry tomato, sliced cucumber, carrots, red cabbage and green pepper.

Half Pan - \$33.99  
Full Pan - \$44.99

### Caesar Salad

Crisp romaine, romano cheese, croutons served with creamy Caesar dressing.

Half Pan - \$33.99  
Full Pan - \$44.99

### Garden Salad

Iceberg lettuce, sliced cucumber, cherry tomato, green pepper, carrot, kalamata olives and red cabbage.

Half Pan - \$29.99  
Full Pan - \$39.99

### Potato Salad (served cold)

Potato, red onions, fresh dill, shaved fennel and lemon zest.

Half Pan - \$29.99  
Full Pan - \$39.99

### Maria's Supreme Salad

Crisp Romaine lettuce, sliced tomatoes, cucumbers, red onions, feta cheese, kalamata olives and fresh mushrooms.

Half Pan - \$33.99  
Full Pan - \$44.99

## EXTRAS TO SALADS

Add Grilled chicken to any salad:

Half Pan - \$ 10  
Full Pan - \$ 15

Add Marinated Steak Tips to any

salad:

Half Pan - \$ 15  
Full Pan - \$ 20

Add Grilled Shrimp to any salad:

Half Pan - \$ 15  
Full Pan - \$ 20

## COLD CUT PLATTER

A wide variety of deli meats served with fresh bread.

Turkey, Ham, Mortadella, Salami, Roast Beef, Provolone Cheese and American Cheese

Per Tray - \$49.99 - Tray serves 12 - 15 people

## ANTIPASTO

A wonderful arrangement of grilled veggies,

sliced meats and cheeses

Up to 10 Guests \$50

Up to 25 Guests \$95

## SAUSAGE WITH ONIONS & PEPPERS

Sweet Italian Sausage cooked and cut to perfection with sautéed Onions and Green Peppers

Half Pan - \$ 31.99

Full Pan - \$ 49.99

## PASTA

Chicken, Veal, Eggplant Parmesan or

Meatball (Served hot)

Chicken, Veal, Eggplant or Meatballs cooked to perfection over your choice of Spaghetti or Ziti, baked with marinara sauce and melted mozzarella cheese.

Half Pan - \$ 34.99

Full Pan - \$ 55.99

Chicken Ziti Broccoli (Served hot)

Grilled chicken cooked with ziti, fresh broccoli, delicious Alfredo sauce with parmesan cheese and a hint of garlic.

Half Pan - \$ 36.99

Full Pan - \$ 62.99

## SIDE ORDER PLATTERS

Chicken Fingers, Chicken Wings, Fried Ravioli and Zucchini

Sticks fried to perfection and served with Honey Mustard, Buffalo Sauce, Marinara Sauce and Blue Cheese

Chicken Wings

Half Pan - \$35.99

Zucchini Sticks

Half Pan - \$32.99

Chicken Fingers

Half Pan - \$38.99

Fried Ravioli

Half Pan - \$32.99

Veggie Platter

An assortment of fresh vegetables including, Grape tomatoes, Carrots, Celery, Broccoli and Cucumbers served with a buttermilk ranch dipping sauce.

Tray - \$ 29.99

## PIZZA & CALZONES

Pizza and calzones are available to order from our regular menu

## MEDITERRANEAN CORNER

Hummus, Tabouleh, Mediterranean Kabob (chicken or beef), Rice Pilaf, Cheese pies  
Call for pricing information

## DESSERTS

Cookie Platter

Platter with assorted cookies

8-12 guests - \$19.99

20-25 guests - \$32.99

Fresh Fruit

Assortment of fresh fruits including  
Pineapple, Watermelon, Melon,  
Cantaloupe, Green and Red Grapes.

Half Pan - \$38.99

## DRINKS

Assorted 2 Liter Bottles - \$2.25

Assorted 20 oz drinks - \$1.65

\*If you don't see something please ask us and we can get it for you!  
Please give a minimum of one day advance notice on catering orders.

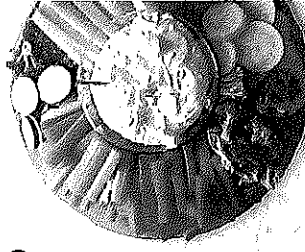
\* CONSUMER ADVISORY WARNING FOR RAW FOODS:

IN COMPLIANCE WITH THE DEPARTMENT OF PUBLIC HEALTH, WE ADVISE THAT EATING RAW OR UNDERCOOKED MEAT, POULTRY, OR SEAFOOD POSES A RISK TO YOUR HEALTH

BEFORE PLACING YOUR ORDER, PLEASE INFORM YOUR SERVER IF A PERSON IN YOUR PARTY HAS A FOOD ALLERGY.

PRICES, ITEMS & OFFERS ARE SUBJECT TO CHANGE WITHOUT NOTICE

ADD STATE MEAL TAX TO ALL PRICES





## **Town of Arlington, Massachusetts**

---

### **Discussion and Adopt: Hackney Policy Insurance Requirements**

#### **Summary:**

Steven M. Byrne, Chair

#### **ATTACHMENTS:**

Type

Description

☐ Reference Material

Insurance Info, Meeting Letter, Arl. Taxi  
Comment, Bill H.854 Info, Articles

**Insurance recommendations:**

<b><i>Current:</i></b>	<b><i>Recommendation:</i></b>	<b><i>House Bill #854</i></b>
20,000 pp	50,000 pp	100,000 pp
40,000 acc	100,000 acc	300,000 acc
5,000 prop	50,000 prop	
	5,000 medical pay	

**Certificate of Insurance should include:**

- require proof of active registration "as of today"
- require active certificate of insurance with a 30 day notice of cancellation (state requires 20 day notice) OR "paid in full for the year" proof.
- require worker's comp on certificate of insurance
- require general liability on certificate of insurance
- require list of vehicles operating in TOA with the certificate of insurance
- dates on policy should match so that there is no lapse in coverage
- under certificate of holder: it should be stated very specifically Arlington, MA etc.

**HACKNEY RULES AND ORDERS-ADOPTED 3/26/12 (CURRENT POLICY REQUIREMENTS)**

**3. Insurance**

- No license shall be issued for the operation of a taxi vehicle until the owner of such vehicle shall file with the Licensing Board a certificate of insurance, issued by an insurance company authorized to do business in the Commonwealth of Massachusetts, certifying that liability insurance in at least the state-mandated amount of \$20,000 per person, \$40,000 per accident, and \$5,000 property damage placed upon each vehicle sought to be licensed for these purposes.
- In addition to the above minimum insurance requirements, each certificate of insurance shall include evidence that the insurance in place is appropriate for the use of the insured vehicle as a taxi vehicle.
- Upon request for renewal of a hackney driver's or business operator's license, the licensee shall present evidence of liability insurance coverage for a period of one year to cover the subject vehicle(s).



### **3. Insurance (for new licenses and renewal of licenses)**

- a. No license shall be issued for the operation of a taxi vehicle until the owner of such vehicle shall file with the Licensing Board a certificate of insurance, issued by an insurance company authorized to do business in the Commonwealth of Massachusetts, certifying that liability insurance in at least the state-mandated amount of \$20,000 per person, \$40,000 per accident, and \$5,000 property damage placed upon each vehicle sought to be licensed for these purposes.  
*NOTE: It was advised these minimum standards be raised to: \$50,000 per person, \$100,000 per accident, \$50,000 property damage and \$5,000. medical pay.*
- b. In addition to the above minimum insurance requirements, each certificate of insurance shall include evidence that the insurance in place is appropriate for the use of the insured vehicle as a taxi vehicle.
- c. The licensee shall present evidence of liability insurance coverage for a period of one year to cover the subject vehicle(s). The policy must list covered vehicles by VIN number.
- d. In addition, a 30-day notice of cancellation of insurance requirement or "paid in full" proof of insurance requirement.
- e. Listed under the certificate holder portion of the certificate it must state: Town of Arlington, Arlington, MA.

## **C. *Operating Requirements***

### **1. Appearance and Conduct of Drivers**

- a. Driver of a taxi vehicle shall be neat and clean in appearance.
- b. Drivers shall not smoke a cigar, cigarette, pipe, or other product.
- c. Drivers while on duty shall not be impaired or consume intoxicating beverages or controlled substances. Taxi business operators shall not permit impaired drivers to work.
- d. Hackney drivers must display licenses prominently to passengers at all times during operation of taxis.
- e. Any property left behind by a passenger shall be delivered to a "lost and found" area maintained by the owner of the taxi vehicle. The owner shall make every effort to return lost property to the rightful owner. Upon request, any hackney driver will search the taxi vehicle for lost property.

## OFFICE OF THE BOARD OF SELECTMEN

STEVEN M. BYRNE, CHAIR  
JOSEPH A. CURRO, VICE CHAIR  
KEVIN F. GREELEY  
DIANE M. MAHON  
DANIEL J. DUNN



730 MASSACHUSETTS AVENUE  
TELEPHONE  
781-316-3020  
781-316-3029 FAX

TOWN OF ARLINGTON  
MASSACHUSETTS 02476-4908

February 19, 2015

To All Hackney/Taxi Business Operators,

The Selectmen are meeting to discuss and vote changes (see below) to the insurance requirements for the Town on March 23, 2015, starting at 7:15 PM. The Selectmen welcome comments by March 18<sup>th</sup> so please email to: [msullivan@town.arlington.ma.us](mailto:msullivan@town.arlington.ma.us) or send them to: Selectmen's Office/Mary Ann Sullivan, 730 Massachusetts Avenue, Arlington, MA 02476. Although it is not mandatory to attend, you may do so if you wish. Thank you.

Very truly yours,  
BOARD OF SELECTMEN

Mary Ann Sullivan  
Selectmen's Office

cc: Board of Selectmen  
Doug Heim, Town Counsel  
Christine Bongiorno, Director of Health and Human Services  
Joseph Carabello, Sealer of Weights and Measures



**Insurance recommendations:**

<i><b>Current:</b></i>	<i><b>Recommendation:</b></i>	<i><b>House Bill #854</b></i>
20,000 pp	50,000 pp	100,000 pp
40,000 acc	100,000 acc	300,000 acc
5,000 prop	50,000 prop	
	5,000 medical pay	

**Certificate of Insurance should include:**

- require proof of active registration "as of today"
- require active certificate of insurance with a 30 day notice of cancellation (state requires 20 day notice) OR "paid in full for the year" proof.
- require worker's comp on certificate of insurance
- require general liability on certificate of insurance
- require list of vehicles operating in TOA with the certificate of insurance
- dates on policy should match so that there is no lapse in coverage
- under certificate of holder: it should be stated very specifically Arlington, MA etc.

**HACKNEY RULES AND ORDERS-ADOPTED 3/26/12 (CURRENT POLICY REQUIREMENTS)**

**3. Insurance**

- No license shall be issued for the operation of a taxi vehicle until the owner of such vehicle shall file with the Licensing Board a certificate of insurance, issued by an insurance company authorized to do business in the Commonwealth of Massachusetts, certifying that liability insurance in at least the state-mandated amount of \$20,000 per person, \$40,000 per accident, and \$5,000 property damage placed upon each vehicle sought to be licensed for these purposes.
- In addition to the above minimum insurance requirements, each certificate of insurance shall include evidence that the insurance in place is appropriate for the use of the insured vehicle as a taxi vehicle.
- Upon request for renewal of a hackney driver's or business operator's license, the licensee shall present evidence of liability insurance coverage for a period of one year to cover the subject vehicle(s).

**From:** Arlbeltrans@aol.com  
**To:** MSullivan@town.arlington.ma.us  
**Cc:** mkrepelka@town.arlington.ma.us  
**Date:** 03/18/2015 12:39 PM  
**Subject:** Chairman and Board Members, Honorable Board of Selectmen

---

**ARLINGTON SERVICES INC.**

**d/b/a ARLINGTON TAXI**

**BOX 79068**

**BELMONT, MA 02479**

TOWN OF ARLINGTON

MASSACHUSETTS 02476-4908

Selectmen's Meeting Monday March 23, 2015

Re: Insurance (Requirements)

We thought it best to e-mail the Honorable Board prior to the meeting as there is too much to discuss. Please see enclosed.

**Response from our Insurance agent:**

Please be advised that we are in receipt of a Letter from The Selectmen's office dated February 19, 2015, from Mary Ann Sullivan regarding an insurance increase for Arlington Taxi Cabs ( Please see Attached). Enclosed is the agents response.

I reviewed the letter dated 02/19/2015 from the Arlington Board of Selectmen. Unfortunately, I am unaware of any company insuring taxis in the voluntary market that will offer medical payments coverage to a taxi and or company. If your taxis are required to carry medical payments coverage, your current policy **will have to be canceled and coverage replaced with a facility carrier (in the pool) it will be very expensive.** Unfortunately, this will cause your premium to increase significantly. This is especially true since the Town of Arlington is also requiring your optional bodily injury limits to be increased to \$50,000 per person up to \$100,000 per accident rather than that allowed by the state of \$20,000 per person up to \$40,000 per accident. The premium for your current property damage liability coverage limit of \$50,000 will also be considerably higher if we must move your coverage to a facility carrier.

**Certificate of Insurance:**

Attached is a copy of an act signed into law on 01/07/2015 pertaining to insurance certificates. In this legislation, you will see that the information stated on a certificate of insurance must be related solely to the insurance policy. As such, a few of the requirements on the certificate of insurance proposed by the board of selectmen will not be possible. We cannot provide proof of registration on the certificate. Notice of cancellation may only be endeavored to an entity that has an interest in the policy such as a lienholder or additional insured. Certificate holders are not provided notice of cancellation and the facility carriers restrict additional insured status to the lessors of insured vehicles.

Thank you,

Robert D. Murphy, President

R. D. Murphy Insurance Agency, Inc.

75 Hancock St, Ste 201

PO Box 850268

Braintree, MA 02185-0268

Tel. 781-356-4141

Fax 781-356-4242

Please know that currently the taxis in Arlington are regulated and competing with taxi app's that are unregulated. We also compete with other taxi companies from surrounding communities. Our existing taxi insurance coverage is State mandated as well as the surrounding taxi companies serving the Town.

However, currently we do carry additional property damage coverage beyond what is mandated for taxis. The cost vs (Passenger Cars including the app carriers) who are acting as a taxi that are not regulated with non taxi plates, vs. the taxi plate insurance, far exceeds premium as much as 400%. This is already a burden. To increase coverage is pointless. This includes the surrounding city and town taxis, versus the non-taxi app's of which are serving the community do not carry the coverage that the Town is proposing.

There are over 3,000 taxis operating within the 495 belt of which 2075 are in Boston and Cambridge. All carry the State mandated coverage.

The ride sharing services are not subject to the increase proposal as they are not regulated by the Town of Arlington. As proposed by our agent in the above caption the cost will put such a financial burden on the taxis that rates would have to be adjusted again to compensate the difference in premium for the additional coverage. In our opinion it would be an unfair burden.

In addition, the ride share app's are not subject to the Town's rules and regulations. Therefore they can and do charge a premium for holidays, weekends, inclement weather, etc. We cannot. This is unfair and not a fair and level playing field as the share riding services do not pay anywhere near the insurance premiums that the taxis must pay due to State and Town regulations.

Let me give you an example: On February 4, 2015, we suffered a loss in the Town of Arlington and was deemed no fault by the Arlington Police Department. We discovered that the vehicle that struck us and totaled our vehicle was insured by Arbella Insurance. When we contacted Arbella we were denied the claim as the Uber driver lied on the application as where it asked, "is this vehicle to be used for public conveyance?" The applicant lied on the application and we were denied as she was not legally insured. Therefore, we are out of a vehicle. We have those records on file if the Town would like to review. I thought I would take a moment as this is an example of what is going on in our community.

**Premiums for Insurance** - For a passenger vehicle the premium is far lower if it is not used as public for hire (normal passenger family vehicle comparison). The premium will double if it is used for public conveyance.

Whereby as taxi plate insurance is mandated at a higher premium, as much as 350%. This is not a fair and level playing field.

We are hoping that the Town Officials do not turn a blind eye to what is really going on and will implement a prohibited rule and enforce said rule to those ride share services as to be fined for picking up in our community.

Currently there are law suits flying everywhere regarding ride share app's. It is to my understanding that the City of Boston is being sued by the Boston Taxi Owners Association for not enforcing it's own rules and regulations. It is also to my understanding the Comm. of MA is currently undergoing regulation for the ride share services, known as apps.

Would it be possible to extend the Town's proposal on insurance as it is pointless to levy such a burden on its taxis for no particular purpose, until the decision is made at the State level of which should be soon

We thought it best to put the board on notice as to provide information, it would be too much to explain on camera.

Respectfully Submitted,

Rick Truscello (President)

**Attachments:**

File: [02-19-](#)

[15MACERTIFICATEOFINSURANCELAW.zip](#)

Size: Content Type:

89k application/zip

Note:

Rick Truscello said  
to call him if you  
want @ 617 293-7100

## HACKNEY INSURANCE RESEARCH (Massachusetts Administrative Group responses):

### Canton:

1-5.06 In addition to any insurance requirements established by state law or regulation, the following minimum insurance coverage shall be obtained by any person seeking a license to operate within the Town of Canton:

Taxis

Private Livery

Limousines

\$50,000 per occurrence/\$ 100,000

annual aggregate

\$75,000 per occurrence/\$150,000

annual aggregate

\$100,000 per occurrence/\$300,000

annual aggregate

All licensees are required to submit a certificate of insurance satisfactory to the Chief of Police or his designee, indicating there in the amount of coverage and the maximum number of persons to be carried in each vehicle.

### Amherst:

We do not require specifics in terms of coverage, but rather reference MGL: "All taxicabs affected by these rules shall be properly registered, inspected, and insured per requirements of the Commonwealth. This shall include all taxicabs having a "TAXI" registration number plate as required by the Massachusetts Registry of Motor Vehicles."

### Northbridge:

Does not have such a requirement, however, it's not a bad idea.

### Melrose:

Does not have such a requirement


### Cambridge:

Does not require specific in terms of coverage, but requires this:

- a) Before issuance of a taxi, livery vehicle or limousine, or shuttle/jitney license, the applicant shall present evidence of liability insurance coverage for a period of one year to cover the subject vehicle(s).
- b) Upon request for renewal of a taxi, livery vehicle or limousine, or shuttle/jitney license, the licensee shall present evidence of liability insurance coverage for a period of one year to cover the subject vehicle(s)

### Brookline:

1. Every Taxi Business License Holder is required to submit to the Transportation Division on an annual basis a Certificate of Liability Insurance as proof that the Taxi Business License Holder has obtained liability coverage for Bodily Injury and Property Damage for each of the taxicabs authorized to operate under said Taxi Business License. A schedule of the specific vehicles covered under said insurance policy shall be provided with the Certificate.
2. Written notice of cancellation, non-renewal, or of any limits reduction change in said policy shall be mailed to the Transportation Division, 333 Washington Street – 4th Floor, Brookline, MA 02445 at least ten (10) days in advance of the effective date thereof.
3. Every Taxi Business License Holder shall furnish to the Town of Brookline Transportation Division not later than the fifth day of each month a full and complete statement of all claims filed and judgments rendered during the preceding month against said License Holder arising out of the operation of any of the taxicabs authorized to operate under said Taxi Business License.



THE 189<sup>TH</sup> GENERAL COURT OF  
**THE COMMONWEALTH OF MASSACHUSETTS**

[Home](#) [Glossary](#) [FAQs](#)  
  
 Options

[Massachusetts Laws](#)
[Bills](#)
[State Budget](#)
[People](#)
[Committees](#)
[Educate & Engage](#)
[Events](#)
[MyLegislature](#)

[Home](#)
[Bills & Laws](#)
[Bills](#)
[Bill H.854](#)

**Bills**

[Bills Search](#)  
[Drafting Manual](#)  
[Calendars](#)  
[Journals](#)

**Bill H.854**


188th (2013 - 2014)

**An act relative to requiring insurance for taxicabs and commercial vehicles**  
 By Mr. Bradley of Hingham, a petition (accompanied by bill, House, No. 854) of Garrett J. Bradley and others relative to requiring owners of commercial vehicles and taxicabs to maintain a certain amount of liability insurance. Financial Services.

**Sponsors:** Garrett J. Bradley  
**Status:** Referred to House Committee on Bills in the Third Reading

**Actions for Bill H.854**

Date	Branch	Action
1/22/2013	House	Referred to the committee on Financial Services
1/22/2013	Senate	Senate concurred
10/30/2013	Joint	Hearing scheduled for 11/06/2013 from 01:00 PM-05:00 PM in B-1
2/20/2014	House	Bill reported favorably by committee and referred to the committee on House Steering, Policy and Scheduling
2/24/2014	House	Committee reported that the matter be placed in the Orders of the Day for the next sitting for a second reading
2/26/2014	House	Read second and ordered to a third reading
1/6/2015	House	No further action taken
3/10/2015	House	Referred to the committee on Financial Services
3/10/2015	Senate	Senate concurred



THE 189<sup>TH</sup> GENERAL COURT OF  
**THE COMMONWEALTH OF MASSACHUSETTS**

[Home](#) [Glossary](#) [FAQs](#)  
  
[Options](#)

[Massachusetts Laws](#)
[Bills](#)
[State Budget](#)
[People](#)
[Committees](#)
[Educate & Engage](#)
[Events](#)
[MyLegislature](#)

[Back to Bill Details](#)

[Print Document Text](#)
[Download PDF](#)

HOUSE DOCKET, NO. 639    FILED ON: 1/13/2015

**HOUSE . . . . . No. 854**

---

*The Commonwealth of Massachusetts*

---

PRESENTED BY:

*Sean Garballey*

---

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to compulsory motor vehicle liability insurance.

---

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Sean Garballey</i>	<i>23rd Middlesex</i>

HOUSE DOCKET, NO. 639    FILED ON: 1/13/2015

**HOUSE . . . . . No. 854**

---

By Mr. Garballey of Arlington, a petition (accompanied by bill, House, No. 854) of Sean Garballey relative to the cash deposit required in lieu of liability bond or insurance upon application for motor vehicle registration or renewal. Financial Services.

---

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 913 OF 2013-2014.]

*The Commonwealth of Massachusetts*

---

In the One Hundred and Eighty-Ninth General Court  
(2015-2016)

---

An Act relative to compulsory motor vehicle liability insurance.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,  
as follows:*

Section 1. Section 34D of Chapter 90 of the General Laws as appearing in the 2008 Official Edition, is hereby amended by inserting after the word "registration", in the first sentence, and inserting in place thereof the following word :- "or registration renewal".

Section 2. Section 34D of Chapter 90 of the General Laws as appearing in the 2008 Official Edition, is hereby amended by striking out in line 3, after the word "amount of", the word, "ten" inserting in place thereof the following word:- 50,000.

Section 3. Section 34D of Chapter 90 of the General Laws as appearing in the 2008 Official Edition, is hereby amended by striking out in line 4 after the word:- "less than" the word, "ten" and inserting in place thereof the following word:- 50,000.

Section 4. Section 34D of Chapter 90 of the General Laws as appearing in the 2008 Official Edition, is hereby amended by inserting after the word:- "damages", at the end of the first sentence, inserting in place thereof the following words:- "to property owned by another party. The applicant shall deposit with the state treasurer a further cash amount of 50,000 dollars or bonds, stock or other evidence of indebtedness satisfactory to said treasurer of the market value of not less than 50,000 dollars as security for the payment by such applicant or by any person responsible for the operation of such applicant's motor vehicle with his express or implied consent of all judgements rendered against such applicant or against such person in actions to recover damages for"

Section 5. Section 34D of Chapter 90 of the General Laws as appearing in the 2008 Official Edition, is hereby amended by striking out the word:- "ten", in the second sentence, and inserting in place thereof the following word:- "50,000."

Section 6. Section 34D of Chapter 90 of the General Laws as appearing in the 2008 Official Edition, is hereby amended by striking out the word:- "ten", in line 27, and inserting in place thereof the following word:- "50,000."

Section 7. Section 34D of Chapter 90 of the General Laws as appearing in the 2008 Official Edition, is hereby amended by striking out the word:- "ten", in line 30 and inserting in place thereof the following word:- "50,000."

Section 8. Section 34D of Chapter 90 of the General Laws as appearing in the 2008 Official Edition, is hereby amended by inserting after the word:- "shall", in the third sentence, the following word:- "not",

Section 9. Section 34D of Chapter 90 of the General Laws as appearing in the 2008 Official Edition, is hereby amended by inserting in the third sentence, the word:- " or " after the word "deposit" and further insert the word " but" after the word deposited" in the same sentence.

Section 10. Section 34D of Chapter 90 of the General Laws as appearing in the 2008 Official Edition, is hereby amended by striking out the word:- "ten", in line 53, and inserting in place thereof the word:- "50,000."

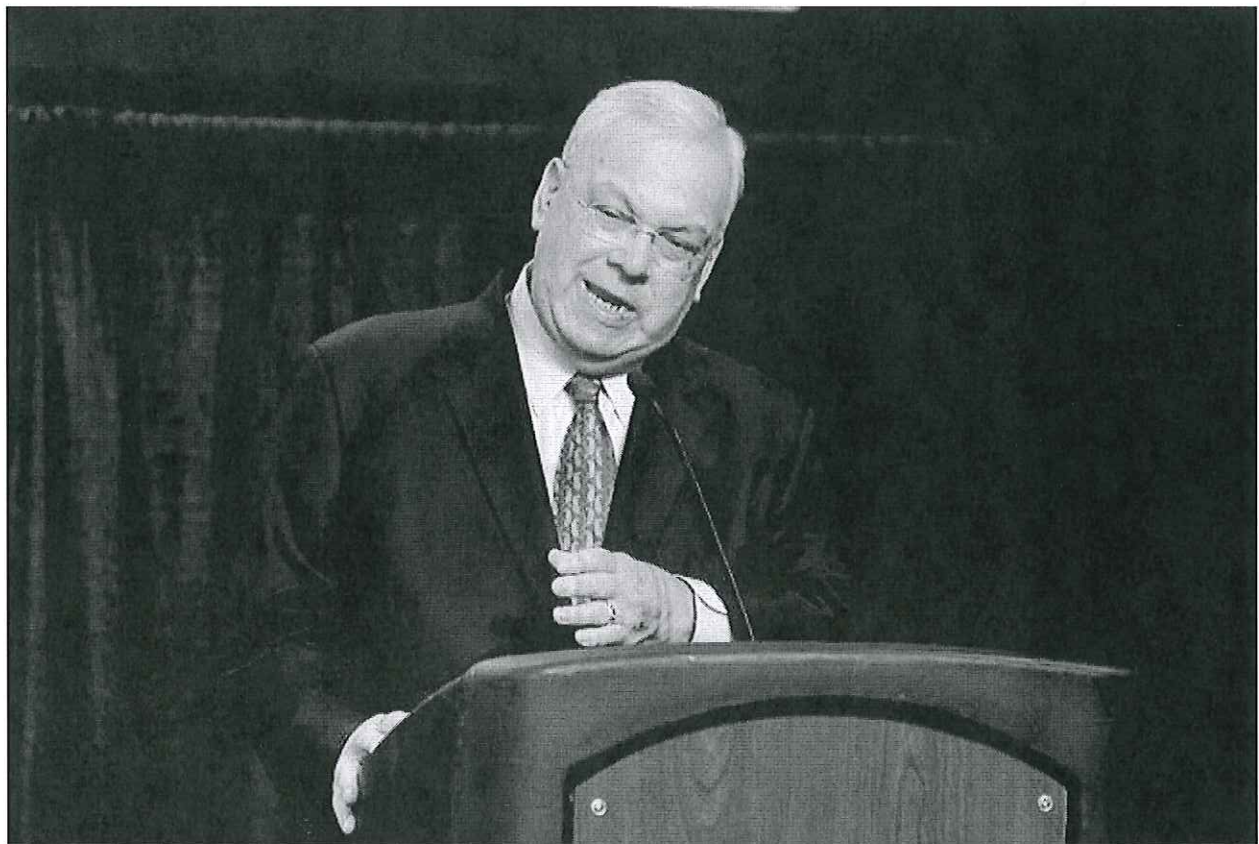
of



## Insurance Requirements Info:

### NEWS

# Mayor Thomas M. Menino orders review of taxi oversight in Boston



"We have real problems, and I'm very concerned about it. We're not going to tolerate this nonsense," said Mayor Thomas M. Menino in response to the Globe's investigative series on the city's taxi industry. (Getty Images)

*Credit: Paul Marotta/Getty Images*

**By Thomas Farragher**

Globe Staff

APRIL 1, 2013 8:00 PM

**M**ayor Thomas M. Menino ordered a sweeping review of the city's \$1 billion taxi industry Monday, a day after the Globe Spotlight Team documented a lopsided system of enforcement in an industry that routinely punishes drivers but tolerates egregious conduct by cab owners who operate with relative impunity.

"We have real problems, and I'm very concerned about it," Menino said during an interview in his office. "We're not going to tolerate this nonsense."

The mayor said he hopes to hire a nationally recognized taxi industry specialist within days and seek recommendations within two or three months that could dramatically reshape how Boston taxis are regulated and managed.

**RELATED** [Spotlight Part 3: Boston taxi cab drivers, often cheated, work in a world where risk and reward are a mismatch](#) [Part 2: An empire built of ambition and a very hard edge](#) [Part 1: Bribes are a common routine for Boston taxi drivers](#) [Survey: Do you think Boston's taxi industry needs more regulation?](#) [Graphic: Taxi fare game](#) [Pictures: Globe Spotlight investigation into the Boston taxi cab industry](#)  
[Share This Story](#)

Menino said he wants to revamp the Hackney Division of the Boston Police Department, the chief enforcer of those who drive and those who own city-licensed taxis.

He said he will push the Legislature to mandate higher insurance for cabs, most of which now operate with the state minimum bodily injury coverage of \$20,000, less than half the required coverage for bike messenger services and much lower than taxis must carry in many other large cities.



"If we can't get the Legislature to change it, we'll do it administratively," he said. "It's too low. There's no question about it."

And the mayor said he wants to install a civilian advisory board to, among other things, help reduce and resolve disputes between drivers and fleet owners.

The top-to-bottom review comes after a nine-month Globe investigation found that drivers are routinely forced to pay petty bribes to get keys to their cabs while owners commonly violate Police Department regulations without fear of sanction. A federal criminal investigation is under way, the Globe reported Sunday.

The Spotlight report also highlighted a Byzantine insurance system used by the city's largest fleet owner, Edward J. Tutunjian. Instead of paying insurance premiums on each of his 372 taxis, the owner of Boston Cab self-insures his fleet by depositing \$10,000 for each taxi with the state. He has earned hundreds of thousands of dollars in interest since 2003.

After the Globe's inquiry, state Treasurer Steven Grossman said he will ask the Legislature to end the program because it benefits only the few prosperous entities that can afford it. He added that the required \$20,000 in coverage, whether paid through a traditional insurance policy or self-insurance, is inadequate to cover people's injuries.

Menino made it clear Monday that the Boston Police Department's oversight of the taxi industry will be a central focus of the upcoming review and that among its recommendations could be a call to get the police force out of the taxi regulation business entirely.

"I'm looking to revamp the division," Menino said after a meeting in his office with Police Commissioner Edward F. Davis and William F. Sinnott, the city's corporation counsel.

Neither Menino nor Davis would directly comment about the future of the leader of the hackney division, Mark Cohen, the civilian director of licensing for the Police Department. Cohen has been overseeing city taxis since the 1980s. Davis said the unit's top uniformed officer will now be given an enhanced role to supervise the division until the review is completed.

During interviews with the Spotlight Team, Cohen was unable to decipher the basic economics of his own division. And he quipped to two Globe reporters that he used to teach kindergarten, which he called a perfect training ground for working with cabbies.

Menino said Monday he was unaware of the abuse of taxi drivers, many of whom are poor immigrants who struggle to make a living wage while routinely working 60 hours a week or more. "Some of the stuff in there I have no control over," he said.

The mayor's call for a systematic review of the taxi industry was greeted with a combination of relief and skepticism from cabdriver advocates.

"Finally," said Donna Blythe-Shaw, an organizer for the United Steelworkers and the Boston Taxi Drivers Association.

Blythe-Shaw said she and taxi drivers have publicly called on the mayor and City Council to reform the industry every year since 2007, but their entreaties went nowhere. She wrote Menino in 2007 and delivered

petitions to his office in 2008 and 2009 urging him to reform the industry, she said.

"It takes the Spotlight Team to open his eyes?" she asked.

"The City Council has known about this as long as he's been around," she said of Menino. "They chose not to support hackney reform because they knew the mayor wouldn't go for it."

If Cohen's future is clouded, Blythe-Shaw said, the mayor should clear the air immediately by firing him. Cohen, she said, was responsible for an "archaic, autocratic, oppressive, and dysfunctional regulatory system that wastes taxpayers' dollars and diverts police from neighborhood policing."

Cohen declined to comment.

As for reforming the industry, Blythe-Shaw said it is imperative that taxi drivers be involved. "We need some drivers, we need the union involved," she said. "This is what we've been asking for since 2008."

The union activist has called for a civilian commission, financed with funds from medallion renewals and resales, to supplant Cohen's Hackney Division.

During a 2011 hearing, drivers and advocates packed the City Hall chamber and Maureen Feeney, then a city councilor, said it was time to consider a different model to govern the industry.

"Much of the testimony that I've heard, as I've said, has been informative and educational, but it's also been upsetting and concerning," Councilor at Large Ayanna Pressley said then. "These cab drivers are risking their lives every day to provide a very important

service for the residents of the city and for tourists, and for any of them to feel marginalized, exploited, or demoralized in any kind of way just doesn't sit well with anyone, and it shouldn't."

Tutunjian and other fleet owners steadfastly opposed the idea of changing the way Boston has governed its taxi industry for generations. The plan went nowhere.

Cohen, who attended the University of Pennsylvania, has worked for the Boston police since 1985. He is credited with transforming Boston's taxi fleet from a scrubby collection of belching clunkers to an industry propelled by late-model vehicles, many of them gleaming new hybrids.

He sits on the board of an international association of taxi regulators and has helped usher in a requirement that all cabs accept credit cards.

He also drove the effort that introduced 100 wheelchair-accessible taxis into Boston's fleet.

The Globe reported this week that medallion owners who pleaded guilty to tax evasion, were suspected of misappropriating \$200,000 from one cab association, and pleaded guilty to bribing a police sergeant were all allowed to keep their city-issued licenses.

Cohen said in earlier interviews that he could not recall a single instance where his division revoked a license, called a medallion, from an owner for misconduct.

The Menino-ordered examination of the cab business will also include whether the city should issue more medallions — they are capped at 1,825 — or other options to address increased demand from customers. The mayor said he also will institute a hot line to collect

complaints from patrons and drivers. "For some reason we were not getting these allegations," Davis said of the Globe's report. "And we want to make sure we know of these things."

*Thomas Farragher can be reached at [farragher@globe.com](mailto:farragher@globe.com).*

SHARE

TWEET

Ad Choices | ©2014 Boston Globe Media Partners, LLC




[For Lawyers](#)
[Sign in](#)
[Register](#)
[Research Legal Advice](#)
[Ask a Lawyer](#)
[Find a Lawyer](#)
[Review Your Lawyer](#)

e.g. "Do I need a living will?"

Arlington, MA


[Research Legal Advice](#) > [Car Accident](#) > [Massachusetts Taxi Cab Liability](#)

## Massachusetts Taxi Cab Liability

Written by [John Michael Wilusz](#)[Personal Injury Lawyer - Boston, MA](#)

Contributor Level 3

Posted about 1 year ago. Applies to Massachusetts, 3 helpful votes

[Save](#)
[Email](#)

Last week, Boston's Mayor Menino [announced a review](#) of the city's taxi system. Faced with criticism for a number of problems regarding the management, regulation, and insurance issues that currently plague the industry, the city is attempting to make changes that will improve the experience of both cab drivers and their passengers. We do not yet know exactly what these improvements may be.

For other drivers, the pedestrians on Boston's streets, and the passengers of these cabs, the mere possibility of a change to the insurance requirement for taxi cabs is good news. It may come as a surprise that many of the city's approximately 1,800 cabs are "woefully underinsured," even as they collectively drive thousands of miles on the city's streets every day.

Boston, like many other cities, uses a "medallion" system for the licensing of its taxi cabs. A unique medallion is required to operate a vehicle as a taxi cab based out of the city. As there are a limited number of these medallions to go around and none have been issued for years, supply and demand dictates that these licenses are very expensive to purchase, and prohibitively so for an individual. As a result, the vast majority of Boston taxi medallions are owned by a handful of powerful companies.

Though not always the case, most of Boston's taxi cab companies carry insurance policies for bodily injury liability that only comply with the state's minimum requirements: \$20,000 per person and \$40,000 per accident. Some companies are actually self-insured, and do not retain an outside insurer for their liability insurance. These moves save money for the companies by reducing insurance premiums, but all too often the minimum coverage is not nearly sufficient to adequately compensate someone injured in an accident involving a taxi cab. Not surprisingly, these limits are far less than the amounts taxi cabs are required to carry in many other states.

Taxi cab companies take other steps to make personal injury claims against them difficult or to dissuade injured people from bringing lawsuits against them. The owners of several large cab companies often subdivide their fleets of vehicles into separate and smaller corporations with limited funding. The goal of this is to create a shield and place some distance between the ownership and accident victims. Similarly, cab companies sometimes structure their employment agreements with their own drivers such that the drivers are not employees of the owners, but independent contractors merely using the company vehicle.

As indicated, it is not yet clear what the city or state may do to try to fix this complex problem. It is possible that lawmakers may change the minimum insurance requirements or add increased supervision and oversight to the industry. What is clear is that the owners of the larger cab companies have been operating on an uneven playing field against those injured in accidents involving taxis.

What can members of the public do to protect themselves against cabs with this minimum amount of insurance coverage? The simple and immediate answer is that drivers should make sure they have underinsured motorist coverage through their own auto policies, with a limit that is high enough to provide adequate compensation in the unfortunate event one suffers serious injury in an accident. The comparatively small cost of the additional coverage is well worth it to safeguard against the danger of an accident with an underinsured vehicle, like many Boston-area taxis.

The fact that many taxi cab companies take advantage of legal loopholes is frequently accepted as an unfortunate inevitability by those injured as a result of a taxi cab driver's negligence. If this seems unfair to you, then you are not alone. Because of the current state of this industry in Boston, it is important to be fully informed and have a team of qualified professionals willing to explore all of your options and advocate on your behalf.

The attorneys at SUGARMAN have years of experience litigating accidents involving taxi cabs, and we are here to answer your questions. To contact us, please fill out a [Contact Form](#), call us at (617) 542-1000 or e-mail [info@sugarman.com](mailto:info@sugarman.com).

Rate this guide



3



0

### RELATED QUESTIONS

[I live in Massachusetts. Is it illegal for a nationwide food chain to refuse to tell me the ingredients for food products?](#)

Asked in Arlington, MA - 2 years ago.



# John J. Sheehan

Boston Workers Compensation and Injury Attorney

*Serving injured workers and accident victims  
since 1993*

## Available 24/7

Free Consultation

No Fee Unless Successful

Weekend/Evening Appointments

We'll Travel To You!

Toll Free: 877-444-9939

Office: 617-973-1593

Mobile: 781-589-8593

Online: [Contact Form](#)

[Home](#)   [Firm](#)   [Practice Area](#)   [Injuries](#)   [Results](#)   [FAQs](#)   [Newsletter](#)   [Blog](#)  
[Scholarship](#)   [Contact](#)

## Massachusetts Taxis Should Be Required to Carry Higher Bodily Injury Insurance Limits

Posted on April 1, 2013 by John Sheehan – No Comments ↓

The Boston Globe Spotlight Team has published a multi-part series investigating the need for reform and regulation of Massachusetts taxis. As any experienced personal injury lawyer knows, a person seriously injured by a negligent taxi cab driver in most cases be limited to the \$20,000 state minimum bodily insurance limits currently required under Massachusetts law. Because there are many layers involved in the operation of a taxi cab in Massachusetts, it is very difficult to go beyond the negligent driver of the taxi cab. That's because the driver most often is an individual who leases or rents the taxi cab from the owner of the taxi medallion, which is the cab license issued by the city or town allowing the cab to operate. The driver is typically treated by the medallion owner as an independent contractor – not an employee. Besides income tax and workers compensation considerations, this arrangement is used to shield the taxi medallion owner from legal liability in the event that the driver of the taxi cab injures someone in an accident.



[Se Habla Español](#)  
[Nos Falamos Português](#)

## Archives

[June 2014](#)  
[May 2014](#)  
[April 2014](#)  
[March 2014](#)  
[February 2014](#)  
[January 2014](#)  
[December 2013](#)

As reported by the Boston Globe, Massachusetts lags behind many other large cities which require taxi cabs to maintain higher bodily injury limits to protect the general public who may be injured by negligent taxi cab drivers. While Massachusetts only requires taxi cabs to have BI limits of \$20,000/\$40,000, New York City and Los Angeles require \$100,000/\$300,000, Chicago \$350,000 and Dallas \$500,000.

The taxi cab business is a multi-million dollar commercial industry that should be required to carry higher bodily injury insurance limits than a private individual in order to protect the general public from the thousands of taxi cabs traveling our public roads and highways.

The current rules that allow taxi cabs to carry the state minimum for bodily injury coverage is yet another reason why every Massachusetts car owner should purchase Uninsured/Underinsured coverage to protect you and your family in the event you are seriously injured by an uninsured driver or inadequately insured driver such as a taxi cab.

If you or a loved one have been injured in a car accident, you should speak to an experienced Massachusetts car accident attorney immediately to ensure that your right to legal compensation is secured.

[Massachusetts Auto Insurers Fined Over Surcharges](#)

[The Boston Bump \[infographic\] It's Not Your Mama's Disco!](#)

Posted In Car Accidents, Motorcycle Accidents, Personal Injury

November 2013  
October 2013  
April 2013  
March 2013  
February 2013  
January 2013  
December 2012  
November 2012  
September 2012  
August 2012  
July 2012  
June 2012  
May 2012  
April 2012  
January 2012  
October 2011  
September 2011  
August 2011

## Contact Us

In order to help you more quickly, please fill out the quick form, or call 617-973-1593.

Name\*

Email\*

Phone\*

Message

Submit



## Town of Arlington, Massachusetts

---

**Approval: Memorial for Robert (Bobby Mac) MacMuarry**

**Summary:**

Alexander J. Salipante, Chairman, Public Memorial Committee

**ATTACHMENTS:**

Type	Description
 Reference Material	Public Memorial Committee Correspondence

*Agenda*  
*3/23/15*

**Arlington Public Memorials Committee**  
C/O Arlington Board of Selectmen  
730 Massachusetts Avenue  
Arlington Massachusetts 02476-4908

March 11, 2015

Mr. Steven Byrne  
Chairman  
Arlington Board of Selectmen  
730 Massachusetts Avenue  
Arlington, MA 02476-4908

Dear Chairman Byrne:

This is to inform you and the members of your Board that the Public Memorials Committee met on Tuesday, March 10, 2015 to review the request to memorialize the late Robert MacMurray.

An Arlington resident, Mr. MacMurray was an individual who inspired people by example. His enthusiasm for inspiring others was infectious. He had that rare ability to coach people to overcome adversity and become all they can be.

As a bicycle-riding enthusiast, ride master and coach Mr. Mac Murray organized many charitable bike rides to benefit Arlington residents and organizations such as The Multiple Sclerosis Society, Massachusetts Aids Foundation, Cystic Fibrosis Foundation and Dana Farber Cancer Institute.

Mr. MacMurray was legally blind. However, because of his familiarity with the Arlington Minuteman Bike Path he was able to continue coaching Arlington's cyclist Community to ride safely and overcome their individual adversities.

Therefore, please be advised that the request for a memorial site on the Minuteman Bike Path in remembrance of Robert (Bobby Mac) MacMurray submitted by Selectman Dunn, And others meets the criteria for being memorialized by the Town of Arlington.

If you require any further information or assistance I can be reached at (781) 643-4485.

Sincerely,

  
Alexander J. Salipante  
Chairman



## **Town of Arlington, Massachusetts**

---

**Presentation: Arlington Commission on Arts and Culture Annual Report**

**Summary:**

Stephanie Marlin-Curiel and Barbara Costa, Co-Chairs

**ATTACHMENTS:**

Type	Description
 Reference Material	ACAC Report

**From:** Stephanie Marlin-Curiel <marlincuriel@gmail.com>  
**To:** Marie Krepelka <mkrepelka@town.arlington.ma.us>  
**Date:** 02/24/2015 12:36 AM  
**Subject:** ACAC presentation at BOS meeting

---

A.I.

*March 23rd*

Hi, Marie,

The ACAC would like to present its annual report to the BOS and let them know of an upcoming meeting to consider the idea of applying for MCC Cultural District status.

Is there a date in the latter part of March when we can get on the agenda. We don't need too much time. Also, please tell me by when we would need to submit our report.

Thanks!

Stephanie Marlin-Curiel  
Co-Chair, Arlington Commission on Arts and Culture



**ARLINGTON COMMISSION ON ARTS AND CULTURE**  
**Report to Town for 2014 Annual Report, Submitted February 26, 2015**  
**By Stephanie Marlin-Curiel and Barbara Costa, Co-Chairs**

The mission of Arlington Commission on Arts and Culture is to advocate for arts and cultural opportunities throughout the town and advise the town on matters of a cultural and artistic nature (Section 2A and B)

Originally established under Article 21 of Town Meeting in 1993, but not populated at the time, the Commission was reestablished in January of 2013.

Members in 2014 were:

Barbara Costa and Stephanie Marlin-Curiel (Co-Chairs), Adria Arch, Carla Dorato, and Aimee Taberner; Roland Chaput (until resignation in June) and David Ardito (until resignation in August). (Jonathan Hyde and Leland Stein named in December; to start in 2015)

The following have been the Commission's activities in 2014.

**1) Name Change**

A Warrant article was submitted on January 31, 2014, to change the name of the Cultural Commission in order to reduce confusion with the Arlington Cultural Council (ACC). The new name, Arlington Commission on Arts and Culture (ACAC), was approved by Town Meeting in May of 2014

**2) Hired Arts and Culture Liaison**

The Arlington Cultural Commission has hired Amy Mongeau in July 2014 as a volunteer Arts and Culture Liaison to be housed in the Town Planning department, at approximately 10 hours a week. We are grateful to the Town for making room for her. Amy came to us with a strong social media and graphic design background and so quickly established a new and improved Arlington Commission on Arts and Culture website, [arlingtoncac.com](http://arlingtoncac.com), which lists information about Cultural Organizations in town, a blog, a cultural calendar and e-newsletter subscription. She has met with representatives of every major arts/culture group in town and has worked with Planning Department GIS expert, Adam Kurowski, on a map displaying Arlington's cultural and business organizations. After taking a full-time job, Amy continues to maintain the cultural calendar even on reduced hours and attends ACAC meetings monthly.

**3) Fostering Collaboration**

In addition to the meetings and regular communications with Cultural organizations in town in connection with our cultural calendar, a subcommittee of the Commission also met with members of the Tourism and Economic Development Committee on several occasions to talk about leveraging Arlington Alive as a brand and about next steps for developing Arlington as a Cultural Destination.

**4) Cultural Planning**

The Commission's bylaws charge us with recommending a long-term Cultural Plan for the Town. The Commission has taken several steps to prepare for this process.

- Commission members met with Adam Chapdelaine and Carol Kowalski to seek advice about undertaking a Cultural Plan and hiring a consultant.
- Commission members met with Meri Jenkins of the Massachusetts Cultural Council to seek advice on applying for Cultural District Designation.
- The Commission has met with members of ATED about possible grants and Cultural District designation.
- The Commission spent a good part of this year meeting with outside consultants from neighboring areas, researching various grant opportunities, cultural plans, and cultural districts.

**5) Participation in the Master Plan process**

ACAC met with Laura Wiener from the Town Planning Department to learn how best to make a relevant contribution to the master plan. On her advice, ACAC submitted comments on the White Papers to Ted Fields pertaining to Historical and Cultural Resources and Economic Development. Various members have also participated in the Master Plan public meetings and have submitted feedback. We have also made the suggestion that a Cultural Plan be made part of the Master Plan process as the use of land and buildings should be informed by potential cultural uses in order to maximize their economic benefit to the town. To this end, ACAC hopes to hire a Cultural Planning consultant to help create a Cultural Plan to follow as closely as possible to the Master Plan.

**6) Being a Resource for the Town on Matters of Arts and Culture.**

The Commission participated in the juried selections of Holiday Windows in several categories. The Commission also submitted the name of Pamela Powell to the Poet Laureate Screening Committee.





## Town of Arlington, Massachusetts

---

**Approval: FAA Noise Issues Letter**

**Summary:**

Steven M. Byrne, Chair

**ATTACHMENTS:**

Type	Description
 Reference Material	letter to FAA

March 19, 2015

Amy Lind Corbett, Regional Administrator  
Federal Aviation Administration  
New England Region  
12 New England Executive Park  
Burlington, MA 01803-5299

Dear Ms. Corbett,

We write to you today to state that the Board of Selectmen in the Town of Arlington, Massachusetts supports the letter that you received from the Belmont, Massachusetts Board of Selectmen dated March 3, 2015.

We have communicated our concerns to Arlington's representative on the Logan Airport Community Advisory Committee, Francis Ciano, which resulted in the Community Advisory Committee voting on January 15, 2015 for the Federal Aviation Administration to reexamine its course of action.

The supported motion at that meeting was as follows: ***"That the FAA re-examine Runway 33L RNAV SID, implemented in June of 2013, in light of the significant increase in noise complaints and negative feedback from communities since implementation and that alternatives or modifications be considered."***

Thank you for your attention to this matter and request that you take action that is consistent with the Community Advisory Committee's approved motion.

Respectfully,

The Arlington Board of Selectmen

**DRAFT**

February XX, 2015

Amy Lind Corbett, Regional Administrator  
Federal Aviation Administration  
New England Region  
12 New England Executive Park  
Burlington, MA 01803-5299

Dear Ms. Corbett,

In December of 2013, we wrote to you expressing our communities concerns about the negative impact we were experiencing as a result of Runway 33L RNAV. We asked for community feedback and noise complaints to be considered by the FAA as part of the post-implementation review process. You responded in your letter dated January 15<sup>th</sup>, 2014 that comments and noise complaints would not be considered as part of these reviews and that any issues with community feedback and noise complaints should be addressed through the Logan CAC.

We have now had 18 months of living with the effects of Runway 33L RNAV and can express to you on behalf of the community of Belmont that the impact has been overwhelmingly negative and significant. We receive numerous complaints from residents about the repetitive nature of the noise from the three RNAV flight paths that now cross our borders. Our CAC representative has been working in concert with our State Legislators and Congressional delegation as well as other impacted communities such as Arlington and Watertown.

Since the implementation of 33L RNAV in June of 2013, Belmont – a community with no noise complaints in 2012 had over 1,600 complaints filed with Massport in 2014. This is the 3<sup>rd</sup> highest number of complaints from any of the Logan impacted communities. Massport has seen over a 400% increase in noise complaints – a significant portion from communities directly impacted by 33L departures.

There were many concerns expressed in comments from a range of Officials and residents as part of the EA process. Those concerns were responded to with claims that the proposed changes were “not expected to cause significant impacts.” We find that this is not the case as evidenced by the huge increase in noise complaints and resident feedback we continue to receive.

At the January 15<sup>th</sup>, 2015 meeting of the Logan CAC, the communities of Arlington, Belmont and Watertown brought forward a motion as follows:

*“That the FAA re-examine Runway 33L RNAV SID, implemented in June of 2013, in light of the significant increase in noise complaints and negative*

*feedback from communities since implementation and that alternatives or modifications be considered."*

This motion was approved by the entire CAC by a near-unanimous vote and has been communicated by the CAC President to Terry English.

We are writing you now to urge you to be responsive to the CAC's request to re-examine the narrow, concentrated flight paths currently being used as part of the 33L RNAV procedure. The Town of Belmont and our residents are asking that alternatives are considered that would re-introduce variability to the flight paths to relieve the noise burden from those under the current RNAV routes. The pre-RNAV flight paths, which did put a large number of flights over Belmont did not cause the noise problems we are currently experiencing. Our residents and our community are negatively affected by this change and we trust the FAA will be responsive to these concerns.

Please contact our office or our Logan CAC Representative Myron Kassaraba ([logancac@belmont-ma.gov](mailto:logancac@belmont-ma.gov), 617-484-0112) if you have any questions, we look forward to your response.

Very truly yours,

Andres T. Rojas, Chair  
Board of Selectmen

Cc: Michael Huerta, Administrator of the Federal Aviation Administration  
Vice-Chair Sami Baghdady  
Selectman Mark A. Paolillo  
State Representative David Rogers  
State Senator William Brownsberger  
State Representative Jonathan Hecht  
Representative Katherine Clark  
Senator Edward Markey  
Senator Elizabeth Warren  
Terry English, Program Manager, Boston Logan Airport Noise Study  
Sandra Kunz, President, Logan Community Advisory Committee  
Myron Kassaraba, Belmont CAC Representative  
Frank Ciano, Arlington CAC Representative  
Dennis Duff, Watertown CAC Representative  
Havey Steiner, Watertown CAC Representative



## Town of Arlington, Massachusetts

---

### Endorsement of Letter to Delegation RE: MBTA Assessments

#### Summary:

Adam W. Chapdelaine, Town Manager

#### ATTACHMENTS:

Type	Description
 Correspondence	Letter



## Town of Arlington

730 Massachusetts Avenue  
Arlington, MA 02476  
Arlingtonma.gov

March 23, 2015

Senator Kenneth Donnelly  
State House, Room 413-D  
Boston, MA 02133

Dear Senator Donnelly,

We are writing to you today in regard to the Massachusetts Bay Transportation Authority (MBTA) and the manner in which it calculates its annual assessment to cities and towns. As I am sure you are aware, each community served by the MBTA is charged an annual assessment that is based upon population and a "weight" that was assigned during transportation reform in 1999 (implemented in FY2000). These "weights" were assigned as some approximation of the level of service received by each community.

It has recently come to our attention that Arlington is potentially being treated inequitably via this weighting system and we are writing to request that you take action to remedy this issue. We feel that given the comprehensive consideration currently being given to the MBTA and its funding sources that this is an appropriate time to pursue this matter. As a point of reference, Arlington has been assigned a "weight" of nine (9) for the purposes of the MBTA assessment calculation. Arguably, this assignment takes into account the proximity of Alewife Station to the Arlington border and also the multiple MBTA bus lines that service the Town. By way of contrast, the City of Quincy, host to four (4) Red Line Stations and a multitude of MBTA bus lines is assigned a "weight" of three (3) for the purposes of the MBTA assessment calculation. This seemingly inexplicable difference in weighting means that Quincy, a city of 93,000 residents, pays \$800,000 a year less in their MBTA assessment than Arlington, a town of 44,000 residents. This is not the sole demonstration of inequity contained within this weighting system, but we think that it adequately represents our legitimate concern.

For your reference, we have attached to this transmittal a document that provides the weighting and assessments for all communities within the MBTA's jurisdiction. We look forward to hearing from you in regard to this matter and hope that you will leverage the current discussions about the MBTA as a means of rectifying a long standing matter of inequity for Arlington.

Sincerely,

Steven M. Byrne  
Chair, Board of Selectmen

Allan Tosti  
Chair, Finance Committee

Adam W. Chapdelaine  
Town Manager

Massachusetts Bay Transportation Authority  
Local Assessment on Cities and Towns

**FY2016 Statement of Facts**

	2013		Total District %	FY2016 MBTA Preliminary Assessed	Prelim RTA Assessment Credit	Adjust RTA Assessment Credit	RTA Reallocation			Interim Assessment	Paratransit Cr. & Allocation	MBTA				
	Est. Census Population	Weights					Weighted Population	Population	%			Charge			Final Assessment	Assessment %
Arlington	44,028	9	396,252	1.5945%	2,596,760			396,252	1.7545%	230,404	2,827,164	1,342	2,828,506	1.7368%		
Belmont	25,332	9	227,988	0.9174%	1,494,075			227,988	1.0095%	132,567	1,626,642	773	1,627,415	0.9993%		
Boston	645,966	18	11,627,388	46.7879%	76,197,812			11,627,388	51.4837%	6,760,850	82,958,661	39,357	82,998,018	50.9634%		
Brookline	59,128	12	709,536	2.8551%	4,649,805			709,536	3.1417%	412,566	5,062,371	2,403	5,064,774	3.1099%		
Cambridge	107,289	12	1,287,468	5.1807%	8,437,170			1,287,468	5.7006%	748,610	9,185,780	4,359	9,190,139	5.6430%		
Chelsea	37,670	9	339,030	1.3642%	2,221,767			339,030	1.5012%	197,132	2,418,899	1,149	2,420,048	1.4860%		
Everett	42,935	9	386,415	1.5549%	2,532,295			386,415	1.7110%	224,685	2,756,980	1,309	2,758,289	1.6937%		
Malden	60,509	9	544,581	2.1914%	3,568,805			544,581	2.4113%	316,652	3,885,457	1,844	3,887,301	2.3869%		
Medford	57,170	9	514,530	2.0704%	3,371,872			514,530	2.2782%	299,178	3,671,050	1,743	3,672,793	2.2552%		
Milton	27,270	9	245,430	0.9876%	1,608,378			245,430	1.0867%	142,707	1,751,085	832	1,751,917	1.0757%		
Newton	87,971	9	791,739	3.1859%	5,188,507			791,739	3.5057%	460,364	5,648,871	2,681	5,651,552	3.4702%		
Revere	53,756	9	483,804	1.9468%	3,170,515			483,804	2.1422%	281,312	3,451,827	1,639	3,453,466	2.1205%		
Somerville	78,804	9	709,236	2.8539%	4,647,839			709,236	3.1404%	412,392	5,060,231	2,402	5,062,633	3.1086%		
Watertown	32,996	9	296,964	1.1950%	1,946,096			296,964	1.3149%	172,672	2,118,768	1,006	2,119,774	1.3016%		
Bedford	13,975	3	41,925	0.1687%	274,747			41,925	0.1856%	24,378	299,125	143	299,268	0.1838%		
Beverly	40,664	3	121,992	0.4909%	799,451			121,992	0.5402%	70,933	870,384	414	870,798	0.5347%		
Braintree	36,727	3	110,181	0.4434%	722,050			110,181	0.4879%	64,066	786,116	374	786,490	0.4829%		
Burlington	25,463	3	76,389	0.3074%	500,600			76,389	0.3382%	44,417	545,017	260	545,277	0.3348%		
Canton	22,221	3	66,663	0.2682%	436,863			66,663	0.2952%	38,762	475,625	227	475,852	0.2922%		
Cohasset	8,273	3	24,819	0.0999%	162,646			24,819	0.1099%	14,431	177,077	85	177,162	0.1088%		
Concord	19,285	3	57,855	0.2328%	379,141			57,855	0.2562%	33,640	412,781	197	412,978	0.2536%		
Danvers	27,483	3	82,449	0.3318%	540,313			82,449	0.3651%	47,941	588,254	280	588,534	0.3614%		
Dedham	25,299	3	75,897	0.3054%	497,376			75,897	0.3361%	44,131	541,507	258	541,765	0.3327%		
Dover	5,797	3	17,391	0.0700%	113,969			17,391	0.0770%	10,112	124,081	60	124,141	0.0762%		
Framingham	70,441	3	211,323	0.8504%	1,384,865	(1,074,151)		211,323	0.9357%	122,876	433,590	208	433,798	0.2664%		
Hamilton	8,131	3	24,393	0.0982%	159,855			24,393	0.1080%	14,184	174,039	84	174,123	0.1069%		
Hingham	22,740	3	68,220	0.2745%	447,066			68,220	0.3021%	39,667	486,733	232	486,965	0.2990%		
Holbrook	10,952	3	32,856	0.1322%	215,315			32,856	0.1455%	19,104	234,419	112	234,531	0.1440%		
Hull	10,332	3	30,996	0.1247%	203,126			30,996	0.1372%	18,023	221,149	106	221,255	0.1359%		
Lexington	32,650	3	97,950	0.3941%	641,896			97,950	0.4337%	56,954	698,850	333	699,183	0.4293%		
Lincoln	6,565	3	19,695	0.0793%	129,067			19,695	0.0872%	11,452	140,519	68	140,587	0.0863%		
Lynn	91,589	3	274,767	1.1056%	1,800,632			274,767	1.2166%	159,766	1,960,398	931	1,961,329	1.2043%		
Lynnfield	12,395	3	37,185	0.1496%	243,685			37,185	0.1646%	21,622	265,307	127	265,434	0.1630%		
Manchester	5,249	3	15,747	0.0634%	103,195			15,747	0.0697%	9,156	112,351	54	112,405	0.0690%		
Marblehead	20,187	3	60,561	0.2437%	396,875			60,561	0.2682%	35,214	432,089	206	432,295	0.2654%		
Medfield	12,313	3	36,939	0.1486%	242,073			36,939	0.1636%	21,479	263,552	126	263,678	0.1619%		
Melrose	27,690	3	83,070	0.3343%	544,383			83,070	0.3678%	48,302	592,685	282	592,967	0.3641%		
Middleton	9,419	3	28,257	0.1137%	185,177			28,257	0.1251%	16,430	201,607	97	201,704	0.1239%		



Massachusetts Bay Transportation Authority  
Local Assessment on Cities and Towns

**FY2016 Statement of Facts**

FY2016 Statement of Facts						FY2016	Prelim	Adjust					MBTA	
2013			Total	MBTA		RTA	RTA	Interim					Final	Assessment
Est. Census		Weighted	District	Preliminary	Assessment	Assessment	RTA Reallocation			Assessment	Paratransit Cr. & Allocation	Assessment	%	
Population	Weights	Population	%	Assessed	Credit	Credit	Population	%	Charge					
Nahant	3,446	3	10,338	0.0416%	67,748		10,338	0.0458%	6,011	73,759	36	73,795	0.0453%	
Natick	35,214	3	105,642	0.4251%	692,304	(507,511)	105,642	0.4678%	61,426	246,219	119	246,338	0.1513%	
Needham	29,736	3	89,208	0.3590%	584,607		89,208	0.3950%	51,871	636,478	303	636,781	0.3910%	
Norfolk	11,689	3	35,067	0.1411%	229,805	(77,950)	35,067	0.1553%	20,390	172,245	83	172,328	0.1058%	
Norwood	28,951	3	86,853	0.3495%	569,174		86,853	0.3846%	50,501	619,675	295	619,970	0.3807%	
Peabody	52,044	3	156,132	0.6283%	1,023,181		156,132	0.6913%	90,784	1,113,965	529	1,114,494	0.6843%	
Quincy	93,494	3	280,482	1.1286%	1,838,084		280,482	1.2419%	163,089	2,001,173	950	2,002,123	1.2294%	
Randolph	33,456	3	100,368	0.4039%	657,742		100,368	0.4444%	58,360	716,102	341	716,443	0.4399%	
Reading	25,327	3	75,981	0.3057%	497,927		75,981	0.3364%	44,180	542,107	258	542,365	0.3330%	
Salem	42,544	3	127,632	0.5136%	836,411		127,632	0.5651%	74,213	910,624	433	911,057	0.5594%	
Saugus	27,735	3	83,205	0.3348%	545,268		83,205	0.3684%	48,380	593,648	283	593,931	0.3647%	
Sharon	18,027	3	54,081	0.2176%	354,409		54,081	0.2395%	31,446	385,855	184	386,039	0.2370%	
Stoneham	21,734	3	65,202	0.2624%	427,289		65,202	0.2887%	37,912	465,201	222	465,423	0.2858%	
Swampscott	13,951	3	41,853	0.1684%	274,275		41,853	0.1853%	24,336	298,611	143	298,754	0.1834%	
Topsfield	6,388	3	19,164	0.0771%	125,588		19,164	0.0849%	11,143	136,731	66	136,797	0.0840%	
Wakefield	26,080	3	78,240	0.3148%	512,731		78,240	0.3464%	45,493	558,224	266	558,490	0.3429%	
Walpole	24,818	3	74,454	0.2996%	487,920		74,454	0.3297%	43,292	531,212	253	531,465	0.3263%	
Waltham	62,227	3	186,681	0.7512%	1,223,377		186,681	0.8266%	108,547	1,331,924	633	1,332,557	0.8182%	
Wellesley	29,090	3	87,270	0.3512%	571,907		87,270	0.3864%	50,744	622,651	296	622,947	0.3825%	
Wenham	5,055	3	15,165	0.0610%	99,381		15,165	0.0671%	8,818	108,200	52	108,252	0.0665%	
Weston	11,853	3	35,559	0.1431%	233,029		35,559	0.1574%	20,676	253,705	121	253,826	0.1559%	
Westwood	14,876	3	44,628	0.1796%	292,461		44,628	0.1976%	25,949	318,410	152	318,562	0.1956%	
Weymouth	55,419	3	166,257	0.6690%	1,089,533		166,257	0.7362%	96,672	1,186,205	564	1,186,769	0.7287%	
Wilmington	23,147	3	69,441	0.2794%	455,068		69,441	0.3075%	40,377	495,445	236	495,681	0.3044%	
Winchester	22,079	3	66,237	0.2665%	434,071		66,237	0.2933%	38,514	472,585	225	472,810	0.2903%	
Winthrop	18,111	3	54,333	0.2186%	356,061		54,333	0.2406%	31,592	387,653	185	387,838	0.2381%	
Woburn	39,083	3	117,249	0.4718%	768,368		117,249	0.5192%	68,175	836,543	398	836,941	0.5139%	
Abington	16,124	1	16,124	0.0649%	105,665	(23,135)				82,530	39	82,569	0.0507%	
Acton	22,891	1	22,891	0.0921%	150,012	(73,838)				76,174	36	76,210	0.0468%	
Amesbury	16,650	1	16,650	0.0670%	109,113	(300,365)	191,252			0	0	0	0.0000%	
Andover	34,477	1	34,477	0.1387%	225,938	(167,309)				58,629	28	58,657	0.0360%	
Ashburnham	6,155	1	6,155	0.0248%	40,336	(23,228)				17,108	8	17,116	0.0105%	
Ashby	3,161	1	3,161	0.0127%	20,715	(9,513)				11,202	5	11,207	0.0069%	
Ashland	17,150	1	17,150	0.0690%	112,389	(39,263)				73,126	35	73,161	0.0449%	
Attleboro	43,886	1	43,886	0.1766%	287,598	(388,496)	100,898			0	0	0	0.0000%	
Auburn	16,315	1	16,315	0.0657%	106,917	(146,958)	40,041			0	0	0	0.0000%	
Ayer	7,821	1	7,821	0.0315%	51,253	(23,774)				27,479	13	27,492	0.0169%	
Bellingham	16,675	1	16,675	0.0671%	109,276	(140,537)	31,261			0	0	0	0.0000%	

Massachusetts Bay Transportation Authority  
Local Assessment on Cities and Towns

**FY2016 Statement of Facts**

	2013		Total		MBTA	RTA		RTA		Interim		MBTA		
	Est. Census		Weighted	District	Preliminary	Assessment	Assessment	RTA Reallocation			Assessment	Paratransit Cr. & Allocation	Final	Assessment
	Population	Weights	Population	%	Assessed	Credit	Credit	Population	%	Charge			Assessment	%
Berkley	6,516	1	6,516	0.0262%	42,701	(33,814)					8,887	4	8,891	0.0055%
Billerica	41,888	1	41,888	0.1686%	274,505	(286,013)	11,508				0	0	0	0.0000%
Boxborough	5,137	1	5,137	0.0207%	33,664	(8,270)					25,394	12	25,406	0.0156%
Boxford	8,163	1	8,163	0.0328%	53,495	(538)					52,957	25	52,982	0.0325%
Bridgewater	26,506	1	26,506	0.1067%	173,702	(34,264)					139,438	66	139,504	0.0857%
Brockton	94,089	1	94,089	0.3786%	616,594	(2,230,538)	1,613,944				0	0	0	0.0000%
Carlisle	5,028	1	5,028	0.0202%	32,950	(42,777)	9,827				0	0	0	0.0000%
Carver	11,494	1	11,494	0.0463%	75,324	(54,146)					21,178	10	21,188	0.0130%
Chelmsford	34,722	1	34,722	0.1397%	227,544	(235,328)	7,784				0	0	0	0.0000%
Dracut	30,687	1	30,687	0.1235%	201,101	(140,221)					60,880	29	60,909	0.0374%
Duxbury	15,288	1	15,288	0.0615%	100,187	(110,684)	10,497				0	0	0	0.0000%
East Bridgewater	14,090	1	14,090	0.0567%	92,336	(42,569)					49,767	24	49,791	0.0306%
Easton	23,753	1	23,753	0.0956%	155,661	(7,237)					148,424	70	148,494	0.0912%
Essex	3,606	1	3,606	0.0145%	23,631	(2,362)					21,269	10	21,279	0.0131%
Fitchburg	40,383	1	40,383	0.1625%	264,642	(638,160)	373,518				0	0	0	0.0000%
Foxborough	17,257	1	17,257	0.0694%	113,090	(118,998)	5,908				0	0	0	0.0000%
Franklin	32,581	1	32,581	0.1311%	213,513	(221,451)	7,938				0	0	0	0.0000%
Freetown	9,035	1	9,035	0.0364%	59,209	(1)					59,208	(28,691)	30,517	0.0187%
Georgetown	8,468	1	8,468	0.0341%	55,493	(5,516)					49,977	24	50,001	0.0307%
Gloucester	29,393	1	29,393	0.1183%	192,621	(334,785)	142,164				0	0	0	0.0000%
Grafton	18,155	1	18,155	0.0731%	118,975	(46,380)					72,595	34	72,629	0.0446%
Groton	11,115	1	11,115	0.0447%	72,840	(67,554)					5,286	3	5,289	0.0032%
Groveland	7,019	1	7,019	0.0282%	45,998	(2,816)					43,182	20	43,202	0.0265%
Halifax	7,606	1	7,606	0.0306%	49,844						49,844	24	49,868	0.0306%
Hanover	14,280	1	14,280	0.0575%	93,581	(69,886)					23,695	11	23,706	0.0146%
Hanson	10,324	1	10,324	0.0415%	67,656	0					67,656	32	67,688	0.0416%
Harvard	6,569	1	6,569	0.0264%	43,049	(11,591)					31,458	15	31,473	0.0193%
Haverhill	62,088	1	62,088	0.2498%	406,882	(478,524)	71,642				0	0	0	0.0000%
Holden	17,995	1	17,995	0.0724%	117,927	(14,089)					103,838	49	103,887	0.0638%
Holliston	14,162	1	14,162	0.0570%	92,808	(46,889)					45,919	22	45,941	0.0282%
Hopkinton	15,918	1	15,918	0.0641%	104,316	(11,057)					93,259	44	93,303	0.0573%
Ipswich	13,574	1	13,574	0.0546%	88,955	(38,372)					50,583	24	50,607	0.0311%
Kingston	12,819	1	12,819	0.0516%	84,007	(84,730)	723				0	0	0	0.0000%
Lakeville	11,144	1	11,144	0.0448%	73,030	(47,351)					25,679	12	25,691	0.0158%
Lancaster	8,054	1	8,054	0.0324%	52,780	(24,650)					28,130	13	28,143	0.0173%
Lawrence	77,657	1	77,657	0.3125%	508,910	(729,681)	220,771				0	0	0	0.0000%
Leicester	11,243	1	11,243	0.0452%	73,679	(95,349)	21,670				0	0	0	0.0000%
Leominster	41,002	1	41,002	0.1650%	268,699	(614,657)	345,958				0	0	0	0.0000%
Littleton	9,246	1	9,246	0.0372%	60,592	(21,657)					38,935	18	38,953	0.0239%

**Massachusetts Bay Transportation Authority**  
**Local Assessment on Cities and Towns**

**FY2016 Statement of Facts**

	2013			Total	MBTA	RTA	RTA	Interim			MBTA			
	Est. Census	Weighted		District	Preliminary	Assessment	Assessment	RTA Reallocation			Assessment	Paratransit Cr. & Allocation	Final	Assessment
	Population	Weights	Population	%	Assessed	Credit	Credit	Population	%	Charge			Assessment	%
Lowell	108,861	1	108,861	0.4380%	713,399	(946,119)	232,720				0	0	0	0.0000%
Lunenburg	10,969	1	10,969	0.0441%	71,883	(33,275)					38,608	18	38,626	0.0237%
Mansfield	23,566	1	23,566	0.0948%	154,435	(159,226)	4,791				0	0	0	0.0000%
Marlborough	39,414	1	39,414	0.1586%	258,292	(263,688)	5,396				0	0	0	0.0000%
Marshfield	25,509	1	25,509	0.1026%	167,168	(180,527)	13,359				0	0	0	0.0000%
Maynard	10,370	1	10,370	0.0417%	67,958	(75,355)	7,397				0	0	0	0.0000%
Medway	13,053	1	13,053	0.0525%	85,540	(84,809)					731	0	731	0.0004%
Merrimac	6,612	1	6,612	0.0266%	43,330	(47,514)	4,184				0	0	0	0.0000%
Methuen	48,514	1	48,514	0.1952%	317,927	(586,918)	268,991				0	0	0	0.0000%
Middleborough	23,601	1	23,601	0.0950%	154,665	(157,969)	3,304				0	0	0	0.0000%
Millbury	13,399	1	13,399	0.0539%	87,808	(98,423)	10,615				0	0	0	0.0000%
Millis	8,047	1	8,047	0.0324%	52,734						52,734	(23,235)	29,499	0.0181%
Newbury	6,853	1	6,853	0.0276%	44,910	(686)					44,224	21	44,245	0.0272%
Newburyport	17,800	1	17,800	0.0716%	116,649	(111,866)					4,783	2	4,785	0.0029%
North Andover	29,217	1	29,217	0.1176%	191,468	(113,470)					77,998	37	78,035	0.0479%
North Attleborough	28,801	1	28,801	0.1159%	188,742	(199,271)	10,529				0	0	0	0.0000%
North Reading	15,377	1	15,377	0.0619%	100,770						100,770	48	100,818	0.0619%
Northborough	14,762	1	14,762	0.0594%	96,740	(22,473)					74,267	35	74,302	0.0456%
Northbridge	16,103	1	16,103	0.0648%	105,528	(58,860)					46,668	22	46,690	0.0287%
Norton	19,367	1	19,367	0.0779%	126,918	(97,873)					29,045	14	29,059	0.0178%
Norwell	10,723	1	10,723	0.0431%	70,271						70,271	33	70,304	0.0432%
Paxton	4,854	1	4,854	0.0195%	31,810	(7,762)					24,048	11	24,059	0.0148%
Pembroke	18,097	1	18,097	0.0728%	118,595	(135,326)	16,731				0	0	0	0.0000%
Plymouth	57,826	1	57,826	0.2327%	378,951	(382,479)	3,528				0	0	0	0.0000%
Plympton	2,859	1	2,859	0.0115%	18,736						18,736	9	18,745	0.0115%
Princeton	3,436	1	3,436	0.0138%	22,517	(2,677)					19,840	9	19,849	0.0122%
Raynham	13,554	1	13,554	0.0545%	88,823	(93,397)	4,574				0	0	0	0.0000%
Rehoboth	11,837	1	11,837	0.0476%	77,571	(18,213)					59,358	28	59,386	0.0365%
Rochester	5,381	1	5,381	0.0217%	35,263						35,263	(25,335)	9,928	0.0061%
Rockland	17,632	1	17,632	0.0710%	115,548	(45,498)					70,050	33	70,083	0.0430%
Rockport	7,131	1	7,131	0.0287%	46,732	(86,565)	39,833				0	0	0	0.0000%
Rowley	6,031	1	6,031	0.0243%	39,523						39,523	19	39,542	0.0243%
Salisbury	8,580	1	8,580	0.0345%	56,227	(45,975)					10,252	5	10,257	0.0063%
Scituate	18,297	1	18,297	0.0736%	119,906	(72,872)					47,034	22	47,056	0.0289%
Seekonk	14,366	1	14,366	0.0578%	94,145	(98,064)	3,919				0	0	0	0.0000%
Sherborn	4,239	1	4,239	0.0171%	27,779	0					27,779	13	27,792	0.0171%
Shirley	7,613	1	7,613	0.0306%	49,890	(14,935)					34,955	17	34,972	0.0215%
Shrewsbury	36,309	1	36,309	0.1461%	237,944	(78,234)					159,710	76	159,786	0.0981%
Southborough	9,896	1	9,896	0.0398%	64,852	(56,757)					8,095	4	8,099	0.0050%

## FY2016 Statement of Facts

**Massachusetts Bay Transportation Authority By:**

Andrew Whittle, Director

Joseph C. Bonfiglio, Director

Robin Chase, Director



## **Town of Arlington, Massachusetts**

---

### **Designation Special Municipal Counsel, Attorney Kevin Batt, as Special Municipal Employee**

#### **Summary:**

Adam W. Chapdelaine, Town Manager

#### **ATTACHMENTS:**

Type	Description
 Correspondence	Memorandum to Board
 Document for Approval	Vote



**Town of Arlington  
Office of the Town Manager**

**Adam W. Chapdelaine**  
Town Manager

730 Massachusetts Avenue  
Arlington MA 02476-4908  
Phone (781) 316-3010  
Fax (781) 316-3019  
E-mail: [achapdelaine@town.arlington.ma.us](mailto:achapdelaine@town.arlington.ma.us)  
Website: [www.arlingtonma.gov](http://www.arlingtonma.gov)

**To:** Members of the Board of Selectmen

**From:** Adam Chapdelaine, Town Manager

**RE:** Designation of Special Municipal Counsel as Special Municipal Employee

**Date:** March 19, 2015

---

The Town has retained the services of Atty. Kevin Batt of the firm Anderson & Kreiger to perform a limited scope of work in regard to reviewing the power purchase agreement (solar panel project) being negotiated between the Town and Ameresco. Due to the fact that Atty. Batt also regularly provides service as Town Counsel to the Town of Lexington, he has requested that the Board designate him as a Special Municipal Employee so that his limited work on this issue won't provide future conflicts with his more regular work with Lexington.

Town Counsel has reviewed this request and in this specific circumstance believes the request to be appropriate. I respectfully request favorable action by the Board in regard to this matter.

VOTED: That Attorney Kevin Batt, serving in the role of Special Municipal Counsel be and hereby is designated as a Special Municipal Employee in accordance with G.L. c. 268A, § 1(n).

By the Town of Arlington Board of Selectmen on \_\_\_\_\_.

---

Chair, Board of Selectmen





## **Town of Arlington, Massachusetts**

---

### **Vote: Reinstatement of Metering in Municipal Lots**

#### **Summary:**

Adam W. Chapdelaine, Town Manager



## **Town of Arlington, Massachusetts**

---

### **Rehearing: Warrant Article 11: Bylaw Amendment/Establishment of a Community Preservation Committee**

#### **Summary:**

Kevin F. Greeley, Selectman

#### **ATTACHMENTS:**

Type	Description
 Reference Material	Final Votes & Comments from 3.9.15 meeting
 Reference Material	W.A. #11 reference from 2.23.15 meeting

## **ARTICLE 11**

## **BYLAW AMENDMENT/ESTABLISHMENT OF A COMMUNITY PRESERVATION COMMITTEE**

VOTED: That Title II of the Town Bylaws (“Committees and Commissions”) be and hereby is amended by inserting a new article to provide for the creation of an Arlington Community Preservation Committee as follows:

### **Article 12: Community Preservation Committee**

#### **Section 1. Establishment and Membership**

a. There is hereby established a Community Preservation Committee consisting of at total of nine (9) members pursuant to G.L. c. 44B § 5. The membership shall be composed of one member of the Conservation Commission as designated by such Commission, one member of the Historical Commission as designated by such Commission, one member of the Arlington Redevelopment Board (which serves as the Town’s Planning Board) as designated by such Board, one member of the Park and Recreation Commission as designated by such Commission, one member of the Arlington Housing Authority as designated by such authority, and four (4) at-large members appointed by the Town Manager subject to approval by the Board of Selectmen.

b. At-large members shall be appointed to the following initial terms: One (1) for a one-year term, two (2) for two-year terms, and one (1) for a three-year term. All subsequent terms shall be for three years. All other members shall serve a term determined by their designating bodies not to exceed three years. All members, at-large and otherwise, are eligible for reappointment. Should any appointing or designating authority fail to appoint a successor to a CPC member whose term is expiring, such member may continue to serve until the relevant authority names a successor.

c. A vacancy of the Committee shall be filled by the relevant appointing or designating authority.

#### **Section 2. Duties and Responsibilities**

The Community Preservation Committee shall have all the duties and powers as set forth in G.L. c. 44 §5, including, but not limited to the following:

a. The Community Preservation Committee shall study the needs, possibilities and resources of the Town regarding community preservation. The Committee shall consult with existing municipal boards, including the Board of Selectmen, 5 Conservation Commission, the Historical Commission, the Redevelopment Board, the Park and Recreation Commission, the Council on Aging, the Housing Authority, the Finance Committee, and the Capital Planning Committee. As part of its study, the Committee shall hold one or more public informational hearings on the needs, possibilities, and resources of the Town regarding community preservation possibilities

and resources, notice of which shall be posted publicly and published for each of two weeks preceding the hearing in a newspaper of general circulation in the Town.

b. The Community Preservation Committee shall make recommendations to the Town Meeting for the acquisition, creation, and preservation of open space; for the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use; for the acquisition, creation, preservation, and support of community housing; and for rehabilitation or restoration of such open space and community housing that is acquired or created with CPA funds. With respect to community housing, the Committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites. Recommendations to Town Meeting shall include their anticipated costs.

c. The Community Preservation Committee may include in its recommendation to the Town Meeting a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation but for which sufficient revenues are not then available in the Community Preservation Fund to accomplish that specific purpose, or to set aside for later spending funds for general purposes that are consistent with community preservation.

d. Prior to making its final recommendations to Town Meeting for approval, the Committee shall present draft recommendations to the Board of Selectmen, the Finance Committee, and the Capital Planning Committee for comment. Further a designated member of the Board of Selectmen, Finance Committee, and Capital Planning Committee shall be permitted, but not required, to serve as a liaison to the Committee.

### Section 3. Administration and Operation

a. The Community Preservation Committee shall not meet or conduct business without the presence of a quorum. A majority of the members of the Community Preservation Committee shall constitute a quorum.

b. The Community Preservation Committee shall approve its actions by majority vote of the quorum.

c. Each fiscal year, the Committee shall recommend to Town Meeting an operational and administrative budget. The timing of such budget recommendation shall be coordinated with the Town Manager's annual operating budget submission to the Board of Selectmen.

### Section 4. Amendments

The Community Preservation Committee shall, from time to time, review the administration of this by-law, making recommendations, as needed, for changes in the by-law and in administrative practice to improve its operations.

## Section 5. Construction and Severability

At all times this by-law shall be interpreted in a manner consistent with G.L. c. 44B, the Community Preservation Act. Should any section, paragraph or part of this chapter be for any reason declared invalid or unconstitutional by any court of last resort, every other section, paragraph, or part shall continue in full force and effect.

## Section 6. Effective Date

Following Town Meeting approval of this by-law, this Title shall take effect immediately upon the approval by the Attorney General of the Commonwealth. Each appointing authority shall have thirty (30) calendar days after approval by the Attorney General to make their initial appointments. Should any appointing authority fail to make their appointment within that allotted time, the Town Manager shall make the appointment from the membership of such appointing authority. (5-0)

**COMMENT:** Following 2014 Town Meetings' adoption of G.L. c. 44B §§3-7 (the Community Preservation Act or "CPA"), the Town must adopt a bylaw to establish a Community Preservation Committee ("CPC") in order to spend CPA monies on appropriate projects. Once established a CPC is first charged with assessing Arlington's community preservation needs, including consulting with various Town boards, committees, and commissions, and then must recommend specific, CPA-eligible projects for funding to Town Meeting for appropriation each year. By law, a CPC must consist of at least five (5), but no more than nine (9) members as follows, with five seats reserved Arlington's equivalents to a Conservation Commission, Planning Board, Historical Commission, Housing Authority, and Board of Park Commissioners. Up to four additional members may be appointed or elected by various processes and entities. Hence, following comparative analysis of other municipalities' CPCs and discussions with stakeholders and experts, the Board of Selectmen strongly recommends the adoption of a nine-member CPC, with at-large members appointed by the Town Manager subject to the approval of the Selectmen. While other models, including those which would invest authority directly within the Board to choose "at-large" appointments were considered, the majority of the Board believes the foregoing structure balances the need for efficient identification of appointees with identifying a broad set of potential appointees. Additional features of the foregoing vote include measures to balance the CPC's autonomy with the need to consult important Town bodies responsible for advocating for residents' interests, budgeting, and long-term planning, including the Finance Committee, the Capital Planning Committee, this Board, and the Council on Aging, among others.



**Town of Arlington  
Legal Department**

Douglas W. Heim  
Town Counsel

50 Pleasant Street  
Arlington, MA 02476  
Phone: 781.316.3150  
Fax: 781.316.3159  
E-mail: [dheim@town.arlington.ma.us](mailto:dheim@town.arlington.ma.us)  
Website: [www.arlingtonma.gov](http://www.arlingtonma.gov)

To: Board of Selectmen

Cc: Adam Chapdelaine, Town Manager  
John Leone, Town Moderator  
Paul Tierney, Director of Assessments  
Christine Bongiorno, Director of Health & Human Services  
Carol Kowalski, Director of Planning  
Stephen Makowka, Chair of the Arlington Historic Districts Commission

From: Douglas W. Heim, Town Counsel

Date: February 20, 2015

Re: Annual Town Meeting Warrant Article # 11

---

I write to provide the Board a summary of the above-referenced warrant articles to assist in the Board's consideration of these articles at its upcoming hearing on February 23, 2015. For the Board's convenience, attached to the end of this memo are copies of reference materials. Further, the summaries and information regarding Articles, 8, 9 and 10 (registered voter articles) provided herein were previously transmitted to both the Board and their respective citizen proponents on or about February 6, 2014.

## ARTICLE 11

### BYLAW AMENDMENT/ESTABLISHMENT OF A COMMUNITY PRESERVATION COMMITTEE

**To see if the Town will vote to amend the Town Bylaws to establish a Community Preservation Committee in accordance with G.L. c. 44B §5, setting forth the membership, duties and responsibilities, administration, and requirements of such Committee consistent with c. 44B §5; or take any action related thereto.**

**(Inserted by the Board of Selectmen)**

The Town voted via ballot question on November 4, 2014 to adopt G.L. c. 44B §§3-7 (also known as the Community Preservation Act (“CPA”), a copy of which is included as reference material for your convenience). As such, the Town will begin collecting a 1.5 percent surcharge on the real property tax assessed subject certain exemptions in Fiscal Year 2016. The funds generated by the surcharge (as well as the Commonwealth’s matching funds) may be used to pay for open space, historic preservation, affordable housing, and outdoor recreation projects subject to certain conditions and limitations. However, §5 of the CPA (already adopted) requires that a Community Preservation Committee (“CPC”) be established by Town Bylaw to administer the Town’s Community Preservation Fund before any CPA projects may be funded. Accordingly, the instant article proposes an amendment to the bylaws to establish a CPC.<sup>1</sup>

Before addressing a potential motion language, it is important to highlight the CPC’s duties and responsibilities as well as Chapter 44B’s CPC membership requirements and options.

#### CPC Responsibilities

Under §§5(b) and 5(c), c. 44B charges each CPC with the following:

- Developing Community Preservation Plan: A CPC must first study the relevant community preservation needs and resources of Arlington by

---

<sup>1</sup> While a CPC bylaw may be created simultaneous to Town Meeting’s consideration of placing the CPA on a Town Ballot, the more common practice is to wait until a community has adopted the CPA for a variety of practical concerns as Arlington has done here.



among other things, meeting and consulting with other municipal bodies (some of which are explicitly enumerated in the statute) and holding and annual public hearing to gather appropriate information. The CPC must then use the information gathered to develop a plan that will serve as a guide in selecting and promoting future CPA project proposals.

- **Recommending CPA Projects to Town Meeting:** Once the aforementioned plan is complete, the primary function of the CPC is to examine and accept proposals for CPA projects to present the best projects to Town Meeting for approval, including the funding amounts for each such project. A town bylaw may provide further structure to this process so long as the CPC remains an independent Town body.
- **Maintaining Records and Reporting on the CPA Budget:** Finally, the CPC is charged with administrative record keeping and budgeting in furtherance of its other above-listed duties.

#### CPC Membership Requirements & Options

The CPC must consist of at least five (5), but no more than nine (9) members as follows:

- Five (5) members must come the following (one each): Conservation Commission; Planning Board; Historical Commission; Housing Authority; and Board of Park Commissioners;<sup>2</sup> and
- Up to four (4) “at large” members may be appointed or elected by various Town entities; and

Based on the foregoing requirements and responsibilities, as well as a comprehensive review of other CPA communities’ CPC bylaws, Arlington’s present municipal structure and likely needs, the following presents a suggested motion for Town Meeting:

*VOTED:*

*That the Town hereby amends Title II of the Town By-laws to insert an “Article 11” as follows:*

*Article 11: Community Preservation Committee*

---

<sup>2</sup> In Arlington’s circumstance: the Conservation Commission, the Arlington Redevelopment Board, the Historical Commission, the Housing Authority, and the Park & Recreation Commission.

## *Section 1. Establishment and Membership*

- a. There is hereby established a Community Preservation Committee consisting of at total of nine (9) members pursuant to G.L. c. 44B § 5. The membership shall be composed of one member of the Conservation Commission as designated by such Commission, one member of the Historical Commission as designated by such Commission, one member of the Arlington Redevelopment Board (which serves as the Town's Planning Board) as designated by such Board, one member of the Park and Recreation Commission as designated by such Commission, one member of the Arlington Housing Authority as designated by such authority, and four (4) at-large members appointed by the Town Manager subject to approval by the Board of Selectmen.*
- b. At-large members shall be appointed to the following initial terms: One (1) for a one-year term, two (2) for two-year terms, and one (1) for a three-year term. All subsequent terms shall be for three years. All other members shall serve a term determined by their designating bodies not to exceed three years. All members, at-large and otherwise, are eligible for reappointment. Should any appointing or designating authority fail to appoint a successor to a CPC member whose term is expiring, such member may continue to serve until the relevant authority names a successor*
- c. A vacancy of the Committee shall be filled by the relevant appointing or designating authority.*

## *Section 2. Duties and Responsibilities*

*The Community Preservation Committee shall have all the duties and powers as set forth in G.L. c. 44 §5, including, but not limited to the following:*

- a. The Community Preservation Committee shall study the needs, possibilities and resources of the Town regarding community preservation. The Committee shall consult with existing municipal boards, including the Board of Selectmen, Conservation Commission, the Historical Commission, the Redevelopment Board, the Park and Recreation Commission, the Housing Authority, the Finance Committee, and the Capital Planning Committee. As part of its study, the Committee shall hold one or more public informational hearings on the needs, possibilities, and resources of the Town regarding community preservation possibilities and resources, notice of which shall be posted publicly and published for each of two weeks preceding the hearing in a newspaper of general circulation in the Town.*

- b. *The Community Preservation Committee shall make recommendations to the Town Meeting for the acquisition, creation, and preservation of open space; for the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use; for the acquisition, creation, preservation, and support of community housing; and for rehabilitation or restoration of such open space and community housing that is acquired or created with CPA funds. With respect to community housing, the Committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites. Recommendations to Town Meeting shall include their anticipated costs.*
- c. *The Community Preservation Committee may include in its recommendation to the Town Meeting a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation but for which sufficient revenues are not then available in the Community Preservation Fund to accomplish that specific purpose, or to set aside for later spending funds for general purposes that are consistent with community preservation.*
- d. *Prior to making its final recommendations to Town Meeting for approval, the Committee shall present draft recommendations to the Board of Selectmen, the Finance Committee, and the Capital Planning Committee for comment. Further a designated member of the Board of Selectmen, Finance Committee, and Capital Planning Committee shall be permitted, but not required, to serve as a liaison to the Committee.*

### *Section 3. Administration and Operation*

- a. *The Community Preservation Committee shall not meet or conduct business without the presence of a quorum. A majority of the members of the Community Preservation Committee shall constitute a quorum.*
- b. *The Community Preservation Committee shall approve its actions by majority vote of the quorum.*
- c. *Each fiscal year, the Committee shall recommend to Town Meeting an operational and administrative budget. The timing of such budget recommendation shall be coordinated with the Town Manager's annual operating budget submission to the Board of Selectmen.*

### *Section 4. Amendments*

*The Community Preservation Committee shall, from time to time, review the administration of this by-law, making recommendations, as needed, for changes in the by-law and in administrative practice to improve its operations.*

*Section 5. Construction and Severability*

*At all times this by-law shall be interpreted in a manner consistent with G.L. c. 44B, the Community Preservation Act. Should any section, paragraph or part of this chapter be for any reason declared invalid or unconstitutional by any court of last resort, every other section, paragraph, or part shall continue in full force and effect.*

*Section 6. Effective Date*

*Following Town Meeting approval of this by-law, this Title shall take effect immediately upon the approval by the Attorney General of the Commonwealth. Each appointing authority shall have forty-five (45) days after approval by the Attorney General to make their initial appointments. Should any appointing authority fail to make their appointment within that allotted time, the Town Manager shall make the appointment from the membership of such appointing authority.*

**Warrant Article #11**

---

**From Massachusetts General Laws:**

**COMMUNITY PRESERVATION ACT**

**M.G.L. c. 44B §§ 1-7**

***As amended by St. 2012, c. 139, §§ 69-83***

**Section 1.**

This chapter shall be known and may be cited as the Massachusetts Community Preservation Act.

## Section 2.

As used in this chapter, the following words shall, unless the context clearly indicates a different meaning, have the following meanings:—

“Acquire”, obtain by gift, purchase, devise, grant, rental, rental purchase, lease or otherwise. “Acquire” shall not include a taking by eminent domain, except as provided in this chapter.

“Annual income”, a family’s or person’s gross annual income less such reasonable allowances for dependents, other than a spouse, and for medical expenses as the housing authority or, in the event that there is no housing authority, the department of housing and community development, determines.

“Capital improvement”, reconstruction or alteration of real property that:

- (1) materially adds to the value of the real property, or appreciably prolongs the useful life of the real property;
- (2) becomes part of the real property or is permanently affixed to the real property so that removal would cause material damage to the property or article itself; and
- (3) is intended to become a permanent installation or is intended to remain there for an indefinite period of time.

“Community housing”, low and moderate income housing for individuals and families, including low or moderate income senior housing.

“Community preservation”, the acquisition, creation and preservation of open space, the acquisition, creation and preservation of historic resources and the creation and preservation of community housing.

“Community preservation committee”, the committee established by the legislative body of a city or town to make recommendations for community preservation, as provided in section 5.

“Community Preservation Fund”, the municipal fund established under section 7.

“CP”, community preservation.

"Historic resources", a building, structure, vessel real property, document or artifact that is listed on the state register of historic places or has been determined by the local historic preservation commission to be significant in the history, archeology, architecture or culture of a city or town.

"Legislative body", the agency of municipal government which is empowered to enact ordinances or by-laws, adopt an annual budget and other spending authorizations, loan orders, bond authorizations and other financial matters and whether styled as a city council, board of aldermen, town council, town meeting or by any other title.

"Low income housing", housing for those persons and families whose annual income is less than 80 per cent of the areawide median income. The areawide median income shall be the areawide median income as determined by the United States Department of Housing and Urban Development.

"Low or moderate income senior housing", housing for those persons having reached the age of 60 or over who would qualify for low or moderate income housing.

"Maintenance", incidental repairs which neither materially add to the value of the property nor appreciably prolong the property's life, but keep the property in a condition of fitness, efficiency or readiness.

"Moderate income housing", housing for those persons and families whose annual income is less than 100 per cent of the areawide median income. The areawide median income shall be the areawide median income as determined by the United States Department of Housing and Urban Development.

"Open space", shall include, but not be limited to, land to protect existing and future well fields, aquifers and recharge areas, watershed land, agricultural land, grasslands, fields, forest land, fresh and salt water marshes and other wetlands, ocean, river, stream, lake and pond frontage, beaches, dunes and other coastal lands, lands to protect scenic vistas, land for wildlife or nature preserve and land for recreational use.

"Preservation", protection of personal or real property from injury, harm or destruction.

"Real property", land, buildings, appurtenant structures and fixtures attached to buildings or land, including, where applicable, real property interests.

"Real property interest", a present or future legal or equitable interest in or to real property, including easements and restrictions, and any beneficial interest therein, including the interest of a beneficiary in a trust which holds a legal or equitable interest in real property, but shall not include an interest which is limited to the following: an estate at will or at sufferance and any estate for years having a term of less than 30 years; the reversionary right, condition or right of entry for condition broken; the interest of a mortgagee or other secured party in a mortgage or security agreement.

"Recreational use", active or passive recreational use including, but not limited to, the use of land for community gardens, trails, and noncommercial youth and adult sports, and the use of land as a park, playground or athletic field. "Recreational use" shall not include horse or dog racing or the use of land for a stadium, gymnasium or similar structure.

"Rehabilitation", capital improvements, or the making of extraordinary repairs, to historic resources, open spaces, lands for recreational use and community housing for the purpose of making such historic resources, open spaces, lands for recreational use and community housing functional for their intended uses, including, but not limited to, improvements to comply with the Americans with Disabilities Act and other federal, state or local building or access codes; provided, that with respect to historic resources, "rehabilitation" shall comply with the Standards for Rehabilitation stated in the United States Secretary of the Interior's Standards for the Treatment of Historic Properties codified in 36 C.F.R. Part 68; and provided further, that with respect to land for recreational use, "rehabilitation" shall include the replacement of playground equipment and other capital improvements to the land or the facilities thereon which make the land or the related facilities more functional for the intended recreational use.

"Support of Community housing", shall include, but not be limited to, programs that provide grants, loans, rental assistance, security deposits, interest-rate write downs or other forms of assistance directly to individuals and families who are eligible for community housing, or to an entity that owns, operates or manages such housing, for the purpose of making housing affordable.

### Section 3.

(a) Sections 3 to 7, inclusive, shall take effect in any city or town upon the approval by the legislative body and their acceptance by the voters of a ballot question as set forth in this section.

(b) Notwithstanding the provisions of chapter 59 or any other general or special law to the contrary, the legislative body may vote to accept sections 3 to 7, inclusive, by approving a surcharge on real property of not more than 3 per cent of the real estate tax levy against real property, as determined annually by the board of assessors. The amount of the surcharge shall not be included in a calculation of total taxes assessed for purposes of section 21C of said chapter 59. (b½) Notwithstanding chapter 59 or any other general or special law to the contrary, as an alternative to subsection (b), the legislative body may vote to accept sections 3 to 7, inclusive, by approving a surcharge on real property of not less than 1 per cent of the real estate tax levy against real property, and making an additional commitment of funds by dedicating revenue not greater than 2 per cent of the real estate tax levy against real property; provided, however, that additional funds so committed shall come from other sources of municipal revenue, including, but not limited to, hotel excises pursuant to chapter 64G, linkage fees and inclusionary zoning payments, however authorized, the sale of municipal property pursuant to section 3 of chapter 40, parking fines and surcharges pursuant to sections 20, 20A, and 20A½ of chapter 90, existing dedicated housing, open space and historic preservation funds, however authorized, and gifts received from private sources for community preservation purposes; and provided further that additional funds so committed shall not include any federal or state funds. The total funds committed to purposes authorized under this chapter by means of this subsection shall not exceed 3 per cent of the real estate tax levy against real property, less exemptions, adopted. In the event that the municipality shall no longer



dedicate all or part of the additional funds to community preservation, the surcharge of not less than 1 per cent shall remain in effect, but may be reduced pursuant to section 16.

(c) All exemptions and abatements of real property authorized by said chapter 59 or any other law for which a taxpayer qualifies as eligible shall not be affected by this chapter. A taxpayer receiving an exemption of real property authorized by said chapter 59 or any other law shall be exempt from any surcharge on real property established under this section. The surcharge to be paid by a taxpayer receiving an abatement of real property authorized by said chapter 59 or any other law shall be reduced in proportion to the amount of such abatement.

(d) Any amount of the surcharge not paid by the due date shall bear interest at the rate per annum provided in section 57 of said chapter 59.

(e) The legislative body may also vote to accept one or more of the following exemptions:

(1) for property owned and occupied as a domicile by a person who would qualify for low income housing or low or moderate income senior housing in the city or town;

(2) for class three, commercial, and class four, industrial, properties as defined in section 2A of said chapter 59, in cities or towns with classified tax rates;

(3) for \$100,000 of the value of each taxable parcel of residential real property; or

(4) for \$100,000 of the value of each taxable parcel of class three, commercial property, and class four, industrial property as defined in section 2A of said chapter 59.

(f) Upon approval by the legislative body, the actions of the body shall be submitted for acceptance to the voters of a city or town at the next regular municipal or state election. The city or town clerk or the state secretary shall place it on the ballot in the form of the following question:

*"Shall this (city or town) accept sections 3 to 7, inclusive of chapter 44B of the General Laws, as approved by its legislative body, a summary of which appears below?"*

*(Set forth here a fair, concise summary and purpose of the law to be acted upon, as determined by the city solicitor or town counsel, including in said summary the percentage of the surcharge to be imposed.)*

If a majority of the voters voting on said question vote in the affirmative, then its provisions shall take effect in the city or town, but not otherwise.

(g) The final date for notifying or filing a petition with the city or town clerk or the state secretary to place such a question on the ballot shall be 35 days before the city or town election or 60 days before the state election.

(h) If the legislative body does not vote to accept sections 3 to 7, inclusive, at least 90 days before a regular city or town election or 120 days before a state election, then a question seeking said acceptance through approval of a particular surcharge rate with exemption or exemptions, may be so placed on the ballot when a petition signed by at least 5 per cent of the registered voters of the city or town requesting such action is filed with the registrars, who shall have seven days after receipt of such petition to certify its signatures. Upon certification of the signatures, the city or town clerk or the state secretary shall cause the question to be placed on the ballot at the next regular city or town election held more than 35 days after such certification or at the next regular state election held more than 60 days after such certification.

(i) With respect to real property owned by a cooperative corporation, as defined in section 4 of chapter 157B, that portion which is occupied by a member under a proprietary lease as the member's domicile shall be considered real property owned by that member for the purposes of exemptions provided under this section. The member's portion of the real estate shall be represented by the member's share or shares of stock in the cooperative corporation, and the percentage of that portion to the whole shall be determined by the percentage of the member's shares to the total outstanding stock of the corporation, including shares owned by the corporation. This portion of the real property shall be eligible for any exemption provided in this section if the member meets all requirements for the exemption. Any exemption so provided shall reduce the taxable valuation of the real property owned by the cooperative corporation, and the reduction in taxes realized by this exemption shall be credited by the cooperative corporation against the amount of the taxes otherwise payable by or chargeable to the member. Nothing in this subsection shall be construed to affect the tax status of any manufactured home or mobile home under this

chapter, but this subsection shall apply to the land on which the manufactured home or mobile home is located if all other requirements of this clause are met. This subsection shall take effect in a city or town upon its acceptance by the city or town.

#### Section 4.

- (a) Upon acceptance of sections 3 to 7, inclusive, and upon the assessors' warrant to the tax collector, the accepted surcharge shall be imposed.
- (b) After receipt of the warrant, the tax collector shall collect the surcharge in the amount and according to the computation specified in the warrant and shall pay the amounts so collected, quarterly or semi-annually, according to the schedule for collection of property taxes for the tax on real property, to the city's or town's treasurer. The tax collector shall cause appropriate books and accounts to be kept with respect to such surcharge, which shall be subject to public examination upon reasonable request from time to time.
- (c) The remedies provided by chapter 60 for the collection of taxes upon real estate shall apply to the surcharge on real property pursuant to this chapter.

#### Section 5.

- (a) A city or town that accepts sections 3 to 7, inclusive, shall establish by ordinance or by-law a community preservation committee. The committee shall consist of not less than five nor more than nine members. The ordinance or by-law shall determine the composition of the committee, the length of its term and the method of selecting its members, whether by election or appointment or by a combination thereof. The committee shall include, but not be limited to, one member of the conservation commission established under section 8C of chapter 40 as designated by the commission, one member of the historical commission established under section 8D of said chapter 40 as designated by the commission, one member of the planning board established under section 81A of chapter 41 as designated by the board, one member of the board of park

commissioners established under section 2 of chapter 45 as designated by the board and one member of the housing authority established under section 3 of chapter 121B as designated by the authority, or persons, as determined by the ordinance or by-law, acting in the capacity of or performing like duties of the commissions, board or authority if they have not been established in the city or town. If there are no persons acting in the capacity of or performing like duties of any such commission, board or authority, the ordinance or by-law shall designate those persons.

(b)(1) The community preservation committee shall study the needs, possibilities and resources of the city or town regarding community preservation, including the consideration of regional projects for community preservation. The committee shall consult with existing municipal boards, including the conservation commission, the historical commission, the planning board, the board of park commissioners and the housing authority, or persons acting in those capacities or performing like duties, in conducting such studies. As part of its study, the committee shall hold one or more public informational hearings on the needs, possibilities and resources of the city or town regarding community preservation possibilities and resources, notice of which shall be posted publicly and published for each of two weeks preceding a hearing in a newspaper of general circulation in the city or town.

(2) The community preservation committee shall make recommendations to the legislative body for the acquisition, creation and preservation of open space; for the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use; for the acquisition, creation, preservation and support of community housing; and for rehabilitation or restoration of open space and community housing that is acquired or created as provided in this section; provided, however, that funds expended pursuant to this chapter shall not be used for maintenance. With respect to community housing, the community preservation committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites. With respect to recreational use, the acquisition of artificial turf for athletic fields shall be prohibited.

(3) The community preservation committee may include in its recommendation to the legislative body a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation but for which sufficient revenues are not then available in the Community Preservation Fund to accomplish that specific purpose or to set aside for later spending funds for general purposes that are consistent with community preservation.

(c) The community preservation committee shall not meet or conduct business without the presence of a quorum. A majority of the members of the community preservation committee shall constitute a quorum. The community preservation committee shall approve its actions by majority vote. Recommendations to the legislative body shall include their anticipated costs.

(d) After receiving recommendations from the community preservation committee, the legislative body shall take such action and approve such appropriations from the Community Preservation Fund as set forth in section 7, and such additional non-Community Preservation Fund appropriations as it deems appropriate to carry out the recommendations of the community preservation committee. In the case of a city, the ordinance shall provide for the mechanisms under which the legislative body may approve and veto appropriations made pursuant to this chapter, in accordance with the city charter.

(e) For the purposes of community preservation and upon the recommendation of the community preservation committee, a city or town may take by eminent domain under chapter 79, the fee or any lesser interest in real property or waters located in such city or town if such taking has first been approved by a two-thirds vote of the legislative body. Upon a like recommendation and vote, a city or town may expend monies in the Community Preservation Fund, if any, for the purpose of paying, in whole or in part, any damages for which a city or town may be liable by reason of a taking for the purposes of community preservation.

(f) Section 16 of chapter 30B shall not apply to the acquisition by a city or town, of real property or an interest therein, as authorized by this chapter for the purposes of community preservation and upon recommendation of the community preservation

committee and, notwithstanding section 14 of chapter 40, for purposes of this chapter, no such real property, or interest therein, shall be acquired by any city or town for a price exceeding the value of the property as determined by such city or town through procedures customarily accepted by the appraising profession as valid.

A city or town may appropriate money in any year from the Community Preservation Fund to an affordable housing trust fund.

#### Section 6.

In each fiscal year and upon the recommendation of the community preservation committee, the legislative body shall spend, or set aside for later spending, not less than 10 per cent of the annual revenues in the Community Preservation Fund for open space, not less than 10 per cent of the annual revenues for historic resources and not less than 10 per cent of the annual revenues for community housing. In each fiscal year, the legislative body shall make appropriations from the Community Preservation Fund as it deems necessary for the administrative and operating expenses of the community preservation committee and such appropriations shall not exceed 5 per cent of the annual revenues in the Community Preservation Fund. The legislative body may also make appropriations from the Community Preservation Fund as it deems necessary for costs associated with tax billing software and outside vendors necessary to integrate such software for the first year that a city or town implements this chapter; provided, however, that the total of any administrative and operating expenses of the community preservation committee and the first year implementation expenses do not exceed 5 per cent of the annual revenues in the Community Preservation Fund.

Funds that are set aside shall be held in the Community Preservation Fund and spent in that year or later years; provided, however, that funds set aside for a specific purpose shall be spent only for the specific purpose. Any funds set aside may be expended in any city or town. The community preservation funds shall not replace existing operating funds, only augment them.

### Section 7.

Notwithstanding the provisions of section 53 of chapter 44 or any other general or special law to the contrary, a city or town that accepts sections 3 to 7, inclusive, shall establish a separate account to be known as the Community Preservation Fund of which the municipal treasurer shall be the custodian. The authority to approve expenditures from the fund shall be limited to, the legislative body and the municipal treasurer shall pay such expenses in accordance with chapter 41.

The following monies shall be deposited in the fund: (i) all funds collected from the real property surcharge or bond proceeds in anticipation of revenue pursuant to sections 4 and 11; (ii) additional funds appropriated or dedicated from allowable municipal sources pursuant to subsection (b½) of section 3, if applicable; (iii) all funds received from the commonwealth or any other source for such purposes; and (iv) proceeds from the disposal of real property acquired with funds from the Community Preservation Fund. The treasurer may deposit or invest the proceeds of the fund in savings banks trust companies incorporated under the laws of the commonwealth, banking companies incorporated under the laws of the commonwealth which are members of the Federal Deposit Insurance Corporation or national banks, or may invest the proceeds in paid up shares and accounts of and in co-operative banks or in shares of savings and loan associations or in shares of federal savings and loan associations doing business in the commonwealth or in the manner authorized by section 54 of chapter 44, and any income therefrom shall be credited to the fund. The expenditure of revenues from the fund shall be limited to implementing the recommendations of the community preservation committee and providing administrative and operating expenses to the committee.



## Town of Arlington, Massachusetts

---

### Articles for Review

#### Summary:

Article 12 Revision of Town Committee/Vision 2020 Standing Committee

Article 19 Revolving Funds

#### ATTACHMENTS:

Type	Description
<input type="checkbox"/> Reference Material	Warrant Article Text
<input type="checkbox"/> Backup Material	Hearing Comments D.Heim
<input type="checkbox"/> Backup Material	Revolving Funds



**ARTICLE 12****REVISION OF TOWN COMMITTEE/VISION 2020  
STANDING COMMITTEE**

To see if the Town will vote to revise Article 41 of the Annual Town Meeting of 1992, which established the Vision 2020 Standing Committee, to amend the number, composition and selection method of Standing Committee Members; as well as set forth the number of members required to constitute a quorum, or take any action related thereto.

(Inserted at the request of the Vision 2020 Standing Committee)

**ARTICLE 19****REVOLVING FUNDS**

To see if the Town will vote to reauthorize revolving funds established under various previous votes of the Town, to hear or receive a report concerning the receipts and expenditures of same, to establish new revolving funds or to amend the votes under any previously adopted revolving funds, to appropriate a sum of money to fund same, to determine how the money shall be raised or expended; or take any action related thereto.

(Inserted by the Board of Selectmen)



**Town of Arlington  
Legal Department**

Douglas W. Heim  
Town Counsel

50 Pleasant Street  
Arlington, MA 02476  
Phone: 781.316.3150  
Fax: 781.316.3159  
E-mail: [dheim@town.arlington.ma.us](mailto:dheim@town.arlington.ma.us)  
Website: [www.arlingtonma.gov](http://www.arlingtonma.gov)

To: Board of Selectmen

Cc: Adam Chapdelaine, Town Manager  
John Leone, Town Moderator  
Juli Brazile, Chair of Vision 2020 Standing Committee Co-Chair  
Ruth Lewis, Town Treasurer

From: Douglas W. Heim, Town Counsel

Date: March 19, 2015

Re: Annual Town Meeting Warrant Articles ## 12 and 19

---

I write to provide the Board a summary of the above-referenced warrant articles to assist in the Board's consideration of these articles at its upcoming hearing on March 23, 2015. For the Board's convenience, attached to the end of this memo are copies of reference materials.

**ARTICLE 12**

**REVISION OF TOWN COMMITTEE/VISION 2020  
STANDING COMMITTEE**

**To see if the Town will vote to revise Article 41 of the Annual Town Meeting of 1992, which established the Vision 2020 Standing Committee, to amend the number, composition and selection method of Standing Committee Members; as well as set forth the number of members required to constitute a quorum, or take any action related thereto.**

**(Inserted at the request of the Vision 2020 Standing Committee)**

This article was inserted at the request of the Vision 2020 Standing Committee and seeks to amend its own charter vote (Article 41 of 1992 Town Meeting, attached for the Board's reference). The primary purpose of the amendments sought by the Standing Committee is to increase the efficiency of Committee operation by revising the membership to address practical challenges it faces. As originally constituted by Town Meeting vote, the Standing Committee is comprised of 22 members, including the Town Manager, the Superintendent of Schools, the Town Moderator, and the respective chairs of this Board, the School Committee, the Finance Committee, the Redevelopment Board, as well as fourteen (14) other appointees, all of whom serve only one year terms.

The Standing Committee, now seeks to revise its charter with the following suggested vote, which would distinguish between quorum-qualifying "voting members" and policymaking "advisory group members" who maintain important connections to Vision 2020 and all of its work but do not vote or count towards a quorum; provide for a specific, manageable quorum; and expand the timeline for the Committee's reevaluation of Town Goals from one year to two years.

*VOTED:*

*That the 1992 vote of Town Meeting (Article 41) establishing the Vision 2020 Standing Committee is hereby amended by striking the vote in its entirety and replacing it as follows:*

*A. Vision 2020 Standing Committee Establishment and Purpose*

*That the Town hereby provides for the appointment of a committee and advisory board to be called the Vision 2020 Standing Committee which shall oversee the progress and implementation of the Vision 2020 recommendations made to the Town and contained in the report given under Article 40 of the 1992 Annual Town Meeting and report on said progress and implementation each year until discharged. This committee will ensure the continuation of the long range planning*

*process of Vision 2020 initiated by the Town in 1990 and shall reevaluate the Town Goals adopted by Town Meeting in 1993 at least every two years. This committee shall also create, implement, monitor, and review methods for open, town-wide public participation in the Vision 2020 process.*

*B. Standing Committee Membership, Quorum, Administration, & Organization*

*The Standing Committee shall consist of nine (9) Voting Members including a Chairperson, and a ten (10) person non-voting Advisory Board. Voting members and the Advisory Board shall both be charged with fulfilling the mission of Vision 2020. Only Voting Members shall have authority to make decisions and set policy of the Committee and otherwise bind the committee by a majority vote of a quorum. However, the Advisory Board shall have the right to be recognized at meetings and request topics and issues be placed before the Standing Committee on agendas. A quorum shall consist of a majority of Voting Members (5).*

*1. Appointment of Voting Members*

*a. Voting Members shall be comprised of:*

- i. Two (2) Town of Arlington residents appointed by the Town Moderator, one of which shall serve an initial two-year term, and the other an initial three-year term, with all subsequent terms for three years;*
- ii. Two (2) Town of Arlington residents appointed by the Superintendent of Schools with approval of the School Committee, one of which shall serve an initial one-year term, and the other an initial two-year term, with all subsequent terms for three years;*
- iii. Two (2) persons appointed by the Town Manager with approval of the Board of Selectmen, one of which shall serve an initial one-year term, and the other an initial two-year term, with all subsequent terms for three years;*
- iv. Two (2) persons appointed by the Director of Planning and Community Development with approval of the Arlington Redevelopment Board ("ARB"), one of which shall serve an initial one-year term, and the other an initial three-year term, with all subsequent terms for three years; and*
- v. One (1) Chairperson, who shall be a resident nominated by a majority vote of the eight (8) above-listed Voting Members following recommendations from the Town Manager and School Committee Members, and approved by the Board of Selectmen. The Chairperson shall serve an initial three-year term, with all subsequent terms for three years.*

*b. All Voting Members shall be eligible for reappointment.*

- c. *At all times at least one of the four collective appointments between the Town Manager and the Director of Planning shall be a current Town employee. All Town Manager and Director of Planning appointees who are not Town employees must be Town residents.*
- d. *A vacancy of the Committee shall be filled by the relevant appointing or designating authority.*

## 2. *Advisory Board*

*The Advisory Board will be composed of the following ten (10) total members: the Town Manager, the Superintendent of Schools, the Town Moderator, the Director of Planning and Community Development, Town Counsel, one secondary student residing in the Town of Arlington appointed by the Superintendent and approved by the School Committee on a one-year term, and the Chairpersons of the Board of Selectmen, the School Committee, the ARB and the Finance Committee or such bodies' designees.*

## C. *Effective Date and Appointments*

*Following Town Meeting approval of this revised vote, all Voting Member appointments except the appointment of the Chairperson shall be made on or before July 1, 2015, and the Chairperson shall be appointed on or before August 14, 2015. Until the Chairperson is appointed, the Standing Committee may designate a Vice Chair from within its membership to administer the Committee's business. The presently serving Standing Committee shall continue to govern Vision 2020 until July 1, 2015.*

## ARTICLE 19

## REVOLVING FUNDS

**To see if the Town will vote to reauthorize revolving funds established under various previous votes of the Town, to hear or receive a report concerning the receipts and expenditures of same, to establish new revolving funds or to amend the votes under any previously adopted revolving funds, to appropriate a sum of money to fund same, to determine how the money shall be raised or expended; or take any action related thereto.**

**(Inserted by the Board of Selectmen)**

This article is a standard annual warrant article. The Board should receive proposed votes from the Comptroller.

## **REFERENCE MATERIAL**

### **Warrant Article #12**

---

#### **From the Votes of 1992 Town Meeting:**

#### **ARTICLE 41: ESTABLISH 2020 STANDING COMMITTEE**

#### **VOTED: (Unanimously)**

That the Town hereby appoints a committee to be called the Vision 2020 Standing Committee which shall oversee the progress and implementation of the Vision 2020 recommendations made to the Town and contained in the report given under Article 40. It will report on said progress and implementation each year to the Annual Town Meeting until discharged. This committee will ensure the continuation of the long range planning process of Vision 2020 initiated by the Town in 1990 and shall reevaluate the "Articles of Our Common Purpose" each year. This committee shall also create, implement, monitor, and review methods for open, town wide public participation in the Vision 2020 process.

The Standing Committee shall consist of the Town Manager; the Superintendent of Schools; the Town Moderator; the Director of Planning and Community Development; the Chairs of the Selectmen, School Committee, Finance Committee, Redevelopment Board, or at each of said committee's option, a member of each as voted by their respective memberships; two Town Meeting Members to be appointed by the Moderator; two residents of the Town, one each to be appointed by the Selectmen and the School Committee; a representative of each Article Group as recommended by their respective memberships to be appointed by the Town Manager, subject to the approval of the Board of Selectmen; one secondary student to be appointed by the Arlington School Superintendent, through applications submitted by interested secondary students residing in Arlington, which appointment shall be subject to approval of the School Committee.

Each appointee shall serve for a term of one year, but may be appointed for successive terms. Appointees shall serve until their successors are appointed.

A true copy of the vote under  
Article 41 of the Warrant for  
The Annual Town Meeting of the  
Town of Arlington at the session  
Thereof held June 8, 1992

**REVOLVING FUND EXPENDITURE DETAIL**

REVOLVING FUND	AMOUNT
----------------	--------

<b>PRIVATE WAY REPAIR</b>	
NO EXPENDITURES IN FY2014	

<b>PUBLIC WAY REPAIR</b>	
NO EXPENDITURES IN FY2014	

<b>FOX LIBRARY</b>	
SUPPLIES	2,172.42
<b>TOTAL EXPENDITURES</b>	2,172.42

<b>ROBBINS HOUSE</b>	
SUPPLIES	2,608.44
MAINTENANCE	28,099.12
PERSONNEL	14,146.87
UTILITIES	17,600.54
CONTRACTED SERVICES	3,061.50
<b>TOTAL EXPENDITURES</b>	65,516.47

<b>CONSERVATION COMMISSION</b>	
TRAINING	569.98
<b>TOTAL EXPENDITURES</b>	569.98

<b>UNCLE SAM</b>	
OTHER EXPENSES	1,885.00
<b>TOTAL EXPENDITURES</b>	1,885.00

<b>AMBULANCE/LIFE SUPPORT SERVICES</b>	
CONTRACTED SERVICES	363,325.37
GENERAL FUND OFFSET (PERSONNEL)	131,415.00
CAPITAL OFFSET	25,000.00
PATIENT REIMBURSEMENTS	2,055.59
<b>TOTAL EXPENDITURES</b>	521,795.96

<b>BOARD OF HEALTH</b>	
SUPPLIES	10,783.42
PERSONNEL	59,357.51
CONTRACTED SERVICES	26,667.49
DUES/SUBSCRIPTIONS/TRAINING	762.35
OTHER EXPENSES	153.68
<b>TOTAL EXPENDITURES</b>	97,724.45

REVOLVING FUND	AMOUNT
----------------	--------

<b>FIELD USER FEES</b>	
SUPPLIES	600.00
MAINTENANCE	19,341.30
EQUIPMENT & MATERIALS	1,855.85
<b>TOTAL EXPENDITURES</b>	21,797.15

<b>ROBBINS LIBRARY RENTAL</b>	
MAINTENANCE	3,510.17
EQUIPMENT	859.26
<b>TOTAL EXPENDITURES</b>	4,369.43

<b>TOWN HALL RENTAL</b>	
SUPPLIES	4,260.02
PERSONNEL	40,369.96
MAINTENANCE	1,736.45
CONTRACTED SERVICES	9,206.75
<b>TOTAL EXPENDITURES</b>	55,573.18

<b>WHITE GOODS RECYCLING</b>	
PERSONNEL	397.04
EQUIPMENT & MATERIALS	6,280.55
<b>TOTAL EXPENDITURES</b>	6,677.59

<b>LIBRARY PC VEND</b>	
SUPPLIES	959.46
EQUIPMENT	8,089.41
CONTRACTED SERVICES	10,170.81
<b>TOTAL EXPENDITURES</b>	19,219.68

<b>GIBBS SCHOOL ENERGY</b>	
UTILITIES	88,441.82
<b>TOTAL EXPENDITURES</b>	88,441.82

<b>CEMETERY CHAPEL RENTAL</b>	
NO EXPENDITURES IN FY2014	

<b>COUNCIL ON AGING PROGRAM</b>	
SUPPLIES	2,172.39
PERSONNEL	232.54
CONTRACTED SERVICES	8,984.67
<b>TOTAL EXPENDITURES</b>	11,389.60

## Revolving Funds for Warrant Article

### Private Way Repair established under Article 46 of the 1992 Annual Town Meeting

Expenditures not to exceed \$200,000

Beginning Balance	\$13,304.91
Receipts	37,553.76
Expenditures	0.00
Balance, 7/1/14	\$50,858.67

### Public Way Repair established under Article 45 of the 1992 Annual Town Meeting

Expenditures not to exceed \$5,000

Beginning Balance	\$ 168.40
Receipts	0.00
Expenditures	0.00
Balance, 7/1/14	\$ 168.40

### Fox Library established under Article 49 of the 1996 Annual Town Meeting

Expenditures not to exceed \$20,000

Beginning Balance	\$13,690.55
Receipts	3,550.00
Expenditures	2,172.42
Balance, 7/1/14	\$15,068.13

### Robbins House established under Article 77 of the 1997 Annual Town Meeting

Expenditures not to exceed \$75,000

Beginning Balance	\$35,312.80
Receipts	62,097.28
Expenditures	65,516.47
Balance, 7/1/14	\$31,893.61

### Conservation Commission established under Article 44 of the 1996 Annual Town Meeting -expenditures not to exceed \$10,000

Beginning Balance	\$3,312.52
Receipts	0.00
Expenditures	569.98
Balance, 7/1/14	\$2,742.54

### Uncle Sam established under Article 31 of the 2000 Annual Town Meeting

Expenditures not to exceed \$2,000

Beginning Balance	\$ 411.31
Receipts	3,000.00
Expenditures	1,885.00
Balance, 7/1/14	\$1,526.31

### Life Support Services established under Article 37 of the 2001 Annual Town Meeting

Expenditures not to exceed \$800,000

Beginning Balance	\$298,371.70
Receipts	629,239.50
Expenditures	521,795.96
Balance, 7/1/14	\$ 405,815.24



Board of Health Fees established under Article 30 of the 2005 Annual Town Meeting  
Expenditures not to exceed \$100,000

Beginning Balance	\$ 86,284.09
Receipts	76,970.06
Expenditures	97,724.45
Balance, 7/1/14	\$ 65,529.70

Field User Fees- Established under Article 78 2004 Annual Town Meeting  
Expenditures not to exceed \$80,000

Beginning Balance	\$43,400.04
Receipts	42,245.64
Expenditures	21,797.15
Balance, 7/1/14	\$64,848.53

Robbins Library Rental – Established under Article 35 2006 Annual Town Meeting  
Expenditures not to exceed \$8,000

Beginning Balance	\$16,750.53
Receipts	9,315.00
Expenditures	4,369.43
Balance, 7/1/14	\$21,696.10

Town Hall Rental – Established under Article 35 2006 Annual Town Meeting  
Expenditures not to exceed \$100,000

Beginning Balance	\$ 22,163.10
Receipts	47,944.62
Expenditures	55,573.18
Balance, 7/1/14	\$14,534.54

White Goods Recycling – Established under Article 35 2006 Annual Town Meeting  
Expenditures not to exceed \$80,000

Beginning Balance	\$16,755.21
Receipts	35,031.77
Expenditures	6,677.59
Balance, 7/1/14	\$45,109.39

Library Vend – Established under Article 34 2009 Annual Town Meeting  
Expenditures not to exceed \$12,000

Beginning Balance	\$14,315.11
Receipts	9,778.50
Expenditures	19,219.68
Balance, 7/1/14	\$ 4,873.93

Gibbs School Energy – Established under Article 45 2010 Annual Town Meeting  
Expenditures not to exceed \$120,000

Beginning Balance	\$ 27,730.05
Receipts	97,171.04
Expenditures	88,441.82
Balance, 7/1/14	\$ 36,459.27

Cemetery Chapel Rental – Established under Article 52 2011 Annual Town Meeting

Expenditures not to exceed \$15,000

Beginning Balance	\$	0.00
Receipts		0.00
Expenditures		0.00
Balance, 7/1/14	\$	0.00

Council on Aging Program Revolving – Established under Article 28 2013 Annual Town Meeting

Expenditures not to exceed \$25,000

Beginning Balance	\$	0.00
Receipts		15,710.54
Expenditures		11,389.60
Balance, 7/1/14	\$	4,320.94



## **Town of Arlington, Massachusetts**

---

### **Articles for Review**

#### **Summary:**

Article #7 Zoning Bylaw Amendment and Bylaw Amendment/Regulation of Posted Event Notices

Article #13 Disposition of Real Estate/1207 Massachusetts Avenue

Article #16 Acceptance of Legislation/Complete Streets Program (REVISED COMMENTS)

Article #46 Resolution/Master Plan Endorsement

#### **ATTACHMENTS:**

Type	Description
<input type="checkbox"/> Reference Material	Draft Final Votes & Comments for Articles #7, #13, #46
<input type="checkbox"/> Reference Material	Revised Final Votes and Comments Article #16



**Town of Arlington  
Legal Department**

Douglas W. Heim  
Town Counsel

50 Pleasant Street  
Arlington, MA 02476  
Phone: 781.316.3150  
Fax: 781.316.3159  
E-mail: [dheim@town.arlington.ma.us](mailto:dheim@town.arlington.ma.us)  
Website: [www.arlingtonma.gov](http://www.arlingtonma.gov)

**MEMORANDUM**

TO: Board of Selectmen

FROM: Douglas W. Heim

DATE: March 19, 2015

RE: **Draft Final Votes and Comments for Articles:  
7, 13, and 46**

---

I write to provide the Board the following as draft Final Votes and Comments for your consideration at the March 23, 2015 Board of Selectmen meeting regarding the previously heard, above-referenced warrant articles. Please note that proposed new or additional language in any Town Bylaw amendments is underlined, while removed language is denoted by strikethrough.

**ARTICLE 7                      ZONING BYLAW AMENDMENT AND BYLAW AMENDMENT/  
REGULATION OF POSTED EVENT NOTICES**

**VOTED: That Title V, Article 1 ("Billboards and Signs"), Section 1 is hereby amended by adding the following to the end of Section 1:**

**J. Signs erected by a person or non-profit organization for the purpose of advertising an individual yard sale, public event, or lost pet are hereby referred to as "notices" and are exempt from the provisions of this article of the Town Bylaws**

subject to Board of Selectmen regulations of "The Display of Notices" to be promptly promulgated by the Board of Selectmen upon the passage of this section.

(4-0)

Ms. Mahon was not present.

**COMMENT:** The Board of Selectmen supports this citizen-sponsored companion amendment to the Town Bylaws following the Arlington Redevelopment Board's ("ARB") March 4, 2015 vote of favorable action to amend the Zoning Bylaws to allow for temporary signage by private persons, non-profit entities which advertise *individual* public events, yard sales, or lost pets, all of which are termed "notices" under both proposed amendments. These combined changes to Town and Zoning Bylaws will provide a clear, consistent authority and process for the posting of these limited categories of temporary signage, most of which are presently forbidden by zoning, the Town's signage bylaw, or both.

If approved by Town Meeting, this Board will promptly promulgate new regulations for the display of notices, which can be more readily re-evaluated and altered than the Town Bylaws or Zoning Bylaws in an area of regulation that is well served by the ability to promptly reconsider the interests of advertising events or lost pets against other important aesthetic concerns. However, for Town Meeting's consideration, the following draft regulations provide an example of the scope and nature of regulations contemplated by the article's proponent, the ARB, and this Board.

### ***Draft Regulations for the Display of Notices***

*Pursuant to its duties under Title V, Article 1, Section 1(J) and in exercising its jurisdiction over public and private ways, as well as a Town licensing and permitting authority, the Board of Selectmen shall permit, through the Board Administrator, temporary signage on public and private ways defined as "notices" in Title V, Article 1, Section 1 (J) of the Town Bylaws pursuant to the following conditions:*

- 1. Notices must be constructed of resilient materials (laminated paper, card stock, poster board, corrugated plastic, etc.) and must be erected in a way that is removable and not dangerous to the general public. Notices that are loose or damaged must be removed or replaced by the sponsoring person or organization.*
- 2. Notices may not be erected earlier nor removed later than allowed by Table 1.*
- 3. Notices cannot exceed the areas allowed by Table 1. Maximum area of all signs promoting an event may not exceed the area allowed by Table 1.*
- 4. Notices must include the name of the sponsoring person or organization, the date of the yard sale or event, and a contact phone number or email address.*
- 5. Registered trademarks may not occupy more than ten percent (10%) of the notice area.*
- 6. Notices may not be placed on trees.*

7. *Notices cannot be placed on private property without the consent of the property owner.*
8. *Notices cannot be placed on public property without approval from the Board of Selectman's Office.*
9. *Town Departments may establish policies for the display of notices on public property under their jurisdiction. Notices erected under such policies do not require separate approval from the Board of Selectmen.*
10. *Notices cannot be erected in a way that limits visibility at corners along public and private ways.*

**Table 1: Notice Display Parameters**

<i>Notice Type</i>	<i>Time Before Event</i>	<i>Time After Event</i>	<i>Maximum Notice Size</i>	<i>Total Maximum Notice Area</i>
<i>Public Event</i>	<i>14 Days</i>	<i>2 Days</i>	<i>10 sq. ft.</i>	<i>120 sq. ft.</i>
<i>Individual Yard Sale</i>	<i>7 Days</i>	<i>2 Days</i>	<i>4.5 sq. ft.</i>	<i>25 sq. ft.</i>
<i>Lost Pet</i>	<i>N/A</i>	<i>2 Days</i>	<i>4.5 sq. ft.</i>	<i>25 sq. ft.</i>

## **ARTICLE 13**

## **DISPOSITION OF REAL ESTATE/ 1207 MASSACHUSETTS AVENUE**

**VOTED:** That the Board of Selectmen be and hereby is authorized to dispose of property located at 1207 Massachusetts Avenue and its appurtenant land by sale, lease, or otherwise.

**(4-0)**

**Ms. Mahon was not present.**

**COMMENT:** Following the discovery that property located at 1207 Massachusetts Avenue (an approximately 7,000 square foot developed parcel) is owned by the Town through the Board of Selectmen in recent years, the Board initiated a lengthy, thorough process for examining the best possible use of such property. The Board first established a working group in January of 2014 to explore the feasibility and suitability of the following three options for the site: 1) Town use of the premises; 2) short-term redevelopment and lease of the property; and 3) disposition of the property by sale. The working group examined each broader possibility extensively throughout 2014, incorporating input from the Capital Planning Committee, Town planning and development personnel, and Veterans representatives because the property had been used by the

Disable American Veterans Club for many years. The Selectmen also toured the property and hosted an extensive public hearing on potential uses for the site at its October 27, 2014 Meeting.

In sum, while the Board received many compelling and intriguing arguments for future use of the property that would maintain Town ownership – ranging from an additional food pantry site, to Town office and/or meeting space, to Town-owned incubator space, the Town is not resourced to best redevelop and utilize the property at issue, especially in light of the Town’s immediate capital needs in other Town buildings.

As such, the Board believes disposition by sale is the best course of action for the property and urges Town Meeting to so authorize a future sale. If authorized by Town Meeting to pursue this option, the Board would seek proposals for its disposition as required by General Laws c. 30B, but is not required to sell to the highest bidder, or ultimately to sell at all if satisfactory proposals are not received. While the property has already been appraised, it is the intention of the Board to develop a request for proposals that balances a competitive purchase price with development and use that would be beneficial to the Town. Further, sale of the property may include reserving for the Town a right of first refusal in the event the purchaser later decides to sell. Finally, the Board intends to pursue bids for a short-term lease of the property which would further assist it in assessing the value and potential private uses of the space.

#### **ARTICLE 46 RESOLUTION/MASTER PLAN ENDORSEMENT**

**VOTED: WHEREAS the Town of Arlington has embarked upon its first master planning effort in more than two decades; and**

**WHEREAS a Master Plan Advisory Committee of Arlington residents -- including numerous Town Meeting Members and professionals in relevant fields -- has worked for more than two years, in conjunction with staff and contractors of the Department of Planning and Community Development; and**

**WHEREAS the Master Plan Advisory Committee has been guided in its work by the Town Goals, as adopted by Town Meeting in 1993; and**

**WHEREAS community meetings, surveys, public hearings, citizen interviews and other outreach activities since 2012 have garnered the direct involvement and feedback of hundreds of Arlington residents; and**

**WHEREAS extensive work was devoted to documenting existing conditions, strengths and assets, determining the community’s desires, performing baseline analyses of current challenges and changes facing Arlington; and**

**WHEREAS recommendations have been developed around seven policy areas: Land Use, Transportation, Housing, Economic Development, Historic and Cultural Resource Areas, Natural Resources and Open Space, and Public Facilities and Services; and**

**WHEREAS** these recommendations have been expressed in a multi-year implementation plan, consisting of actions to be considered by various Town boards, committees, professional staff and, ultimately Town Meeting; and

**WHEREAS** the results of this work were adopted by the Arlington Redevelopment Board on February 4, 2015 for submission as the Arlington Master Plan to the Executive Office of Housing and Economic Development, in accordance with Chapter 41, Section 81D of Massachusetts General Laws;

**NOW THEREFORE, BE IT RESOLVED** that the Arlington Town Meeting commends the work of the Master Plan Advisory Committee and the many other volunteers, residents and professional staff members in considering the current state of our town and mapping out a series of reasonable steps for consideration in meeting our present and future challenges and improving our quality of life and endorses the action of the Redevelopment Board in adopting the Arlington Master Plan;

**BE IT FURTHER RESOLVED** that the Town Meeting considers the Arlington Master Plan to be a living document that will guide future action, while being subject to regular review and update as conditions warrant; and

**BE IT FURTHER RESOLVED** that Town Meeting looks forward to active participation and consideration of specific actions to be taken, as well as continuing the open process and incorporating ongoing public participation as implementation of the Arlington Master Plan proceeds.

**(4-0)**

**Ms. Mahon was not present.**

**COMMENT:** Following the adoption of the Master Plan by the Arlington Redevelopment Board (“ARB”) pursuant to General Laws. c. 41 § 81, the Board of Selectmen concurs with the Master Plan Advisory Committee (of which Mr. Byrne and Mr. Curro are members), the Planning Department, and the ARB in seeking a resolution from Town Meeting to endorse the Master Plan. While the law does not require the Board of Selectmen’s approval or Town Meeting’s endorsement, the purpose of the Plan is to guide the Town’s policy on future land use and development over the next 10 to 20 years in the interests of ensuring development and redevelopment that is stable, predictable, and consistent with our community’s values. Thus, this Board’s support and Town Meeting’s resolve to examine and address the issues and policies outlined in the Master Plan is of significant value to the Town, and provides a further layer of transparency in an already transparent Master Plan process.

Moreover, it must be stressed both that the resolution’s impact is limited to pledging to further discuss the policies set forth therein, and that the Master Plan is a living document potentially subject to change. Therefore, neither the Master Plan, nor the resolution to endorse it would supplant the Town Meeting process for making changes to Zoning Bylaws or any other local laws.



The resolution would however evidence Town Meeting's commitment to take up and discuss the bylaw changes recommended in the Plan at future Town Meetings.

Finally the Master Plan Advisory Committee has hosted approximately 75 workshops, meetings, and interviews in developing and vetting the Plan. The public engagement process to date has been extraordinary. Accordingly, this Board comfortably joins with the ARB in recommending Town Meeting resolve to endorse the Master Plan.



**Town of Arlington  
Legal Department**

Douglas W. Heim  
Town Counsel

50 Pleasant Street  
Arlington, MA 02476  
Phone: 781.316.3150  
Fax: 781.316.3159  
E-mail: [dheim@town.arlington.ma.us](mailto:dheim@town.arlington.ma.us)  
Website: [www.arlingtonma.gov](http://www.arlingtonma.gov)

**MEMORANDUM**

TO: Board of Selectmen

FROM: Douglas W. Heim

DATE: March 23, 2015

RE: **Revised Final Votes and Comment for Article:  
16**

---

I write to provide the Board the following as a revised Final Vote and Comment for your consideration at tonight's March 23, 2015 Board of Selectmen meeting regarding the previously heard, above-referenced warrant article.

**ARTICLE 16**

**ACCEPTANCE OF LEGISLATION/  
COMPLETE STREETS PROGRAM**

**VOTED: That Section 1 of Chapter 90 I of the General Laws, as added by Chapter 79 Sec. 7 of the Acts of 2014 (Complete Streets Program), Section 34, be and is hereby is accepted.**

**(5-0)**

**COMMENT:** As part of a certification-based grant program, acceptance of G.L. c. 90I presents an opportunity for Arlington to receive substantial state funds for work that it already performs and goals it already shares without new, significant administrative or programmatic commitments, or any financial commitments whatsoever.

The recently enacted “Complete Streets” statute is projected to make \$50,000,000 in street and sidewalk improvement design and construction funds available to Massachusetts municipalities over the next 5 years. The overall purpose of these funds is to help communities plan and construct “streets that provide accommodations for users of all transportation modes, including, but not limited to walking, cycling, public transportation, automobiles and freight.” Access to Complete Streets funds requires certain actions by the Town.

First, the Town must accept c. 90I by vote of Town Meeting. Second, it must develop and adopt an internal Complete Streets policy. The policy will be drafted by the Planning Department and approved by the Board of Selectmen. The policy will be generally flexible, but must include certain provisions such as procedures for roadway repairs and upgrades and for reviewing large-scale private developments. Finally, the Town must follow the policy, including pursuing a municipal mode share goal (i.e. increasing use of public transportation, walking or cycling) to become Complete Streets certified.

This process is similar to the Green Communities program the Town joined in 2010. Once certified under Complete Streets, the Town may apply for and receive funds for specific projects at no cost to the Town. The Complete Streets certification is easier than the Green Communities certification process, which required specific zoning and town bylaw amendments to acquire and maintain certification.

The state has not yet released the final regulations under the Complete Streets statute. If the regulations are completed as expected, Arlington will be ready to take advantage of the additional funding quickly. Should the final regulations be too onerous, there will be no impact of declining to develop an internal Complete Streets program. We would simply be ineligible for c. 90I funds.

Hence, bearing in mind the success of similar certification-based programs, the Board of Selectmen strongly recommends acceptance of c. 90I by Town Meeting as a no-cost opportunity for substantial resources for Arlington.



## **Town of Arlington, Massachusetts**

---

**NEW BUSINESS**



## **Town of Arlington, Massachusetts**

---

**EXECUTIVE SESSION**



## **Town of Arlington, Massachusetts**

---

**Next Meeting of BoS March 30, 2015**